



CITY COUNCIL MEETING STAFF REPORT

DATE OF MEETING: September 1, 2026

NAME OF PROJECT: Transient Rental Overlay Zone (TROD) Rezone

NAME OF APPLICANT: Midway City

AGENDA ITEM: Land Use Map Amendment

LOCATION OF ITEM:

- Turnberry & Turnberry Woods
- Midway Village
- Mountain Spa Rural Preservation Subdivision
- 100 South between 50 West and 100 West
- Rising Ranch Subdivision
- An area in the C-2 zone that is east of Fox Den Road and south of Main Street

PROPOSED ZONING: Removal of the TROD

ITEM: 7

Midway City is proposing a zone map amendment in several areas of the city. The proposed amendment would remove areas from the Transient Rental Overlay District (TROD) which allows properties to be rented on a short-term basis.

SUMMARY:

Midway City is proposing a zone map amendment to remove several areas from the Transient Rental Overlay District (TROD), which governs short-term nightly rentals (less than 30 days). If approved, no new short-term rentals will be permitted within the affected boundaries.

The areas proposed for removal from the TROD include:

- Turnberry PUD
- Turnberry Woods PUD
- Midway Village PUD
- Rising Ranch subdivision
- Specific lots in the Mountain Spa Rural Preservation subdivision
- 100 South, between 50 West and 100 West
- An area within the C-2 zone located east of Fox Den Road and south of Main Street

BACKGROUND & ANALYSIS:

Established in 2006, the TROD regulates where short-term rentals can legally operate. Midway City was an early adopter of short-term rental regulations in Utah, creating an ordinance framework that numerous other municipalities across the state have since modeled.

While the TROD primarily targeted commercial and resort zones, it also incorporated certain residential areas. Residential properties were included if their specific Covenants, Conditions, and Restrictions (CC&Rs) explicitly permitted short-term rentals, or if they had a documented history of nightly rental use. These included:

- Subdivisions with permissive CC&Rs: Turnberry, Turnberry Woods, The Kantons, Mountain Springs, Swiss Creek, Chalets on the Creek, and Midway Village.
- Historical nightly rental properties: The Blue Boar Inn, Johnson Mill, and a Homestead Drive property since developed into the Rising Ranch subdivision.

Several of the residential developments originally included in the overlay—specifically Turnberry, Turnberry Woods, and Midway Village—have since amended their CC&Rs to prohibit short-term rentals. This shift prompted a reassessment of the current TROD boundaries.

During a City Council work meeting on May 19, 2026, the Council reviewed TROD regulations, geographic boundaries, enforcement strategies, and the formal amendment process. Following this discussion, the Council directed staff to initiate a formal boundary amendment.

Amending the TROD requires a public notice and hearing process before both the Planning Commission and the City Council.

- Staff mailed 152 letters directly to affected property owners to inform them of the potential rezone, invite them into the planning process, and solicit their feedback.

- In accordance with public hearing requirements, notices were posted on the Midway City website and the Utah Public Notice website.

Midway City maintains a restrictive approach to short-term rentals to balance conflicting community needs:

- **Benefits:** Short-term rentals provide vital revenue for property owners, generate transient room and resort taxes for the City, and support the local economy by attracting tourist spending.
- **Drawbacks:** Short-term rentals create commercial competition for local resorts, introduce neighborhood disruptions, reduce the long-term housing supply for permanent residents, and can erode the city's sense of community.

To address these challenges, the Midway City General Plan explicitly discourages expanding short-term rental zones. The General Plan states:

"TROP boundaries should not expand beyond current boundaries to help preserve available long-term housing supply and to help preserve Midway as a community filled with permanent residents that will help preserve Midway's community feel."

By removing residential areas that no longer permit short-term rentals or are poorly suited for transient use, the proposed amendment aligns directly with the General Plan's core mission to protect Midway's neighborhood character and permanent housing stock.

PLANNING COMMISSION RECOMMENDATION:

Motion by Commissioner Knight: "I would make a motion to recommend to City Council a zone map amendment in several areas of the city, including all the areas listed, to remap and reduce the size of the Transient Rental Overlay District, using the staff recommendations and possible findings in support to reduce the size of the present TROP as it was laid out."

Second: Commissioner Facer

Ayes: Commissioners Farrell, Nokes, Facer, Winegar, Dougherty, Knight

Nays: None

Motion: Passed

Findings in Support of the Proposed Amendment:

1. The proposed amendment directly aligns with the Midway City General Plan, which explicitly discourages the expansion of short-term rentals in order to preserve the long-term housing supply. Removing these residential areas from the TROD protects neighborhood stabilization, prevents the erosion of community cohesion, and supports the General Plan's mandate to maintain Midway as a community of permanent residents.
2. Several of the affected developments (including Turnberry, Turnberry Woods, and Midway Village) have officially amended their private Covenants, Conditions, and Restrictions (CC&Rs) to prohibit short-term rentals. Amending the TROD map to remove these areas eliminates conflicting regulations between private community governance and public municipal zoning codes, creating regulatory consistency.
3. Restricting new transient rentals in residential zones reduces common neighborhood nuisances such as increased traffic, parking overflow, and noise disruptions. Furthermore, it channels tourist lodging toward established commercial zones and local resorts, protecting the town's traditional hospitality investments from decentralized commercial competition.

Findings Against the Proposed Amendment:

1. The amendment eliminates a flexible use of private property, removing a viable revenue-generating opportunity for current and future landowners. Restricting short-term rental rights may negatively impact property values in the excluded zones by reducing the marketability of the homes to buyers seeking investment properties.
2. Reducing the geographical size of the TROD limits the overall inventory of visitor lodging, which may decrease the collection of municipal transient room taxes and resort taxes. A lower capacity for overnight visitors can cause a downstream reduction in discretionary spending at local restaurants, retail shops, and recreation businesses.
3. If approved, any existing legally permitted short-term rentals within the removed areas may become legal non-conforming uses ("grandfathered" status). Managing and monitoring a mix of grandfathered active rentals alongside strict prohibitions for new neighbors increases the administrative burden, tracking complexity, and enforcement costs for city staff.

ALTERNATIVE ACTIONS:

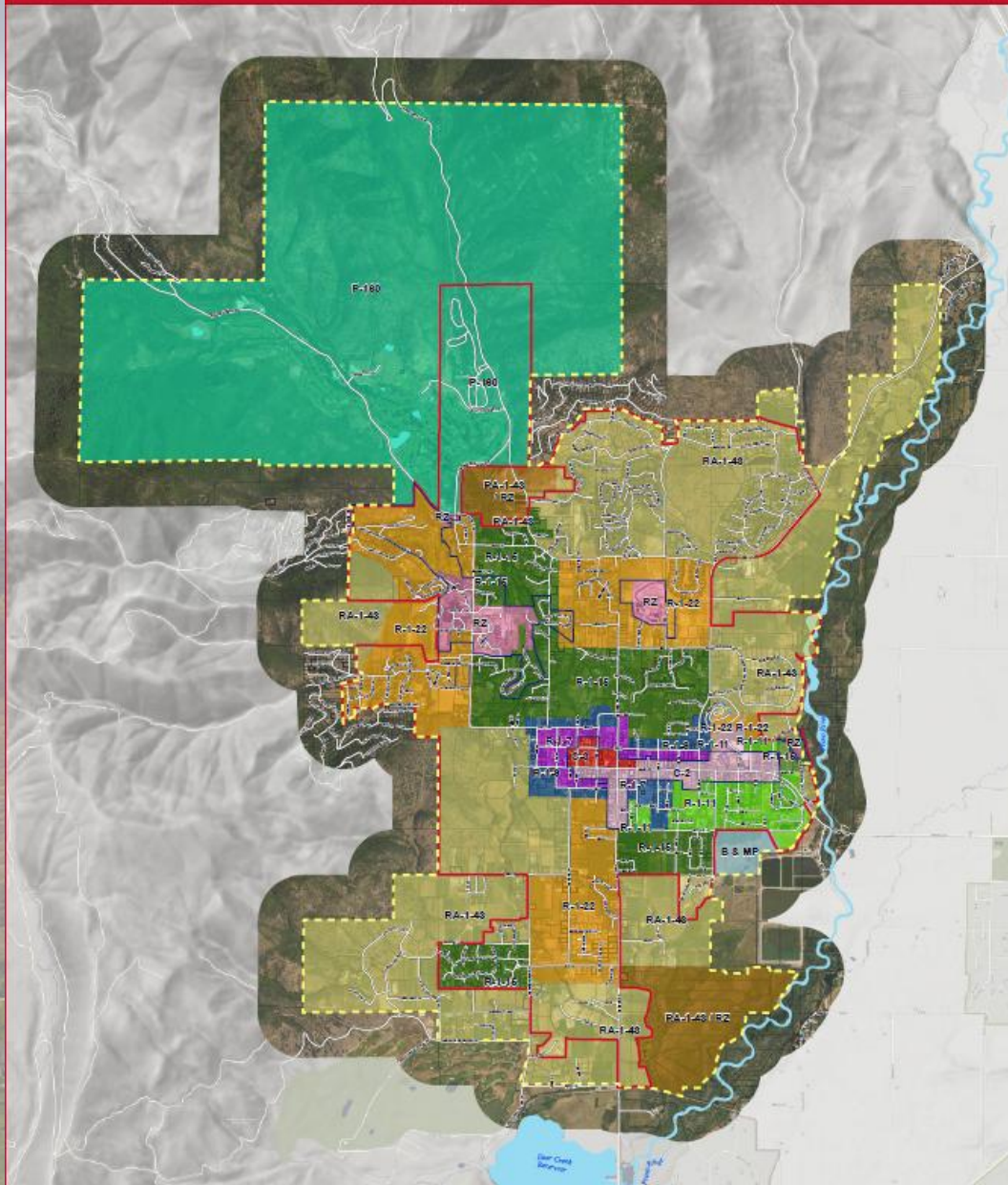
1. Approval (conditional). This action can be taken if the City Council finds the proposal is acceptable and is in the community's best interest.
 - a. Accept staff report
 - b. List accepted findings
 - c. Place condition(s)

2. Continuance. This action can be taken if the City Council finds that there are unresolved issues.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for continuance
 - i. Unresolved issues that must be addressed
 - d. Date when the item will be heard again

3. Denial. This action can be taken if the City Council finds that the request is not acceptable and not in the best interest of the community.
 - a. Accept staff report
 - b. List accepted findings
 - c. Reasons for denial

Midway, Utah - Land Use

4/1/2025



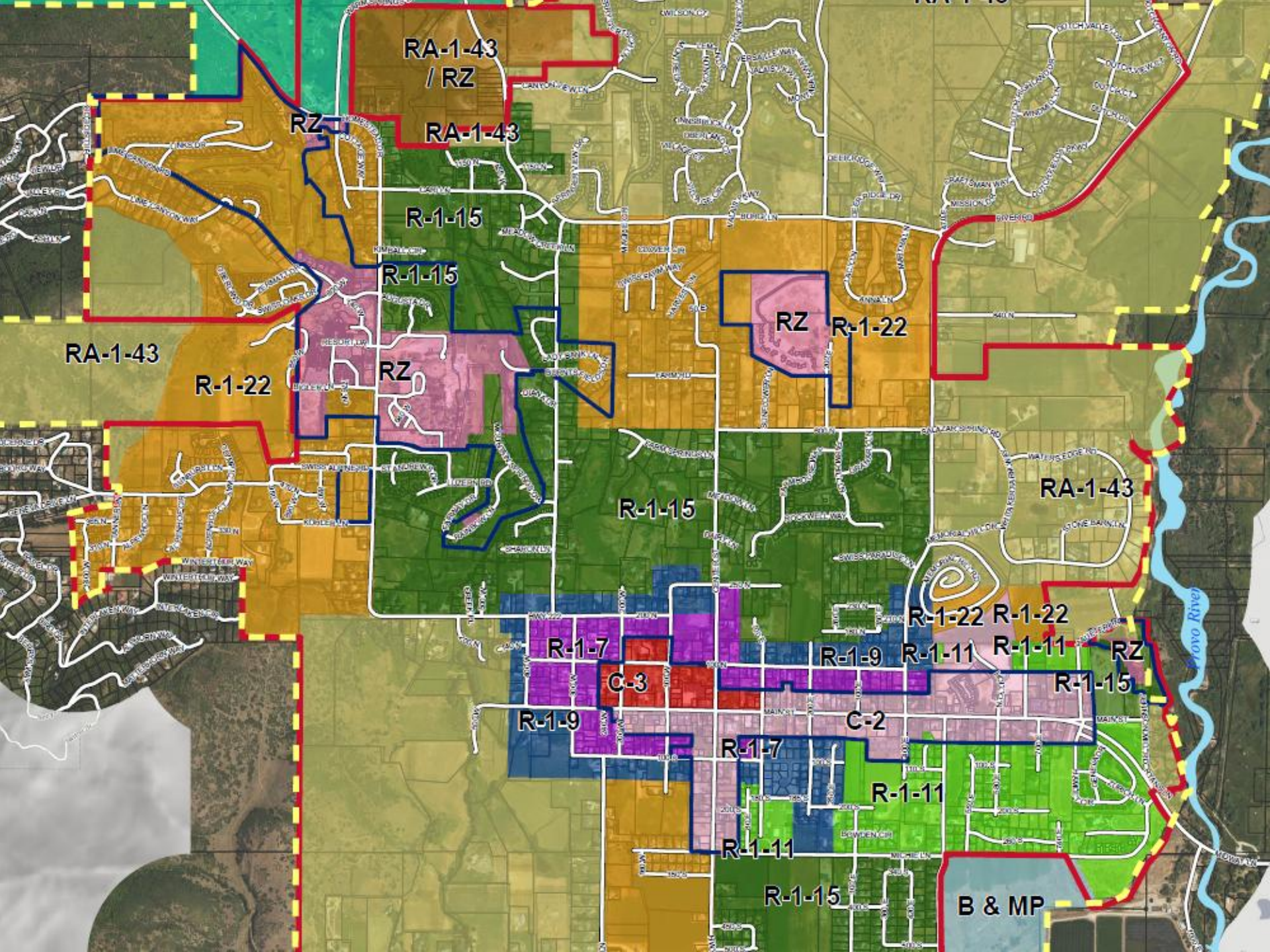
Legend

B & MP	R-1-7	R-1-22	Midway City Boundary
C-2	R-1-9	RA-1-43	Midway Growth Boundary
C-3	R-1-11	RA-1-43 / RZ	TRCO
P-180	R-1-15	RZ	Roads



Map created by Midway C.A.R.E.S. using data from the Midway Planning Department. All rights reserved. No warranty is made for the accuracy or completeness of the information. The information is provided for informational purposes only. The information is not to be used for any other purpose without the written consent of Midway C.A.R.E.S.





RA-1-43
/ RZ

RA-1-43

RZ

R-1-15

R-1-15

RA-1-43

R-1-22

RZ

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R-1-22

R-1-15

RA-1-43

R-1-7

C-3

R-1-9

R-1-9

R-1-22

R-1-22

R-1-11

R-1-11

RZ

R-1-15

R-1-7

C-2

R-1-11

R-1-11

R-1-15

B & MP

Areas proposed for removal from the TROD:

- Turnberry PUD
- Turnberry Woods PUD
- Midway Village PUD
- Rising Ranch subdivision
- Specific lots in the Mountain Spa Rural Preservation subdivision
- 100 South, between 50 West and 100 West
- An area within the C-2 zone located east of Fox Den Road and south of Main Street



Midway
C.A.R.E.S.

-1-15

DOUBLE

EAGLE

GLE

LADY-BANK

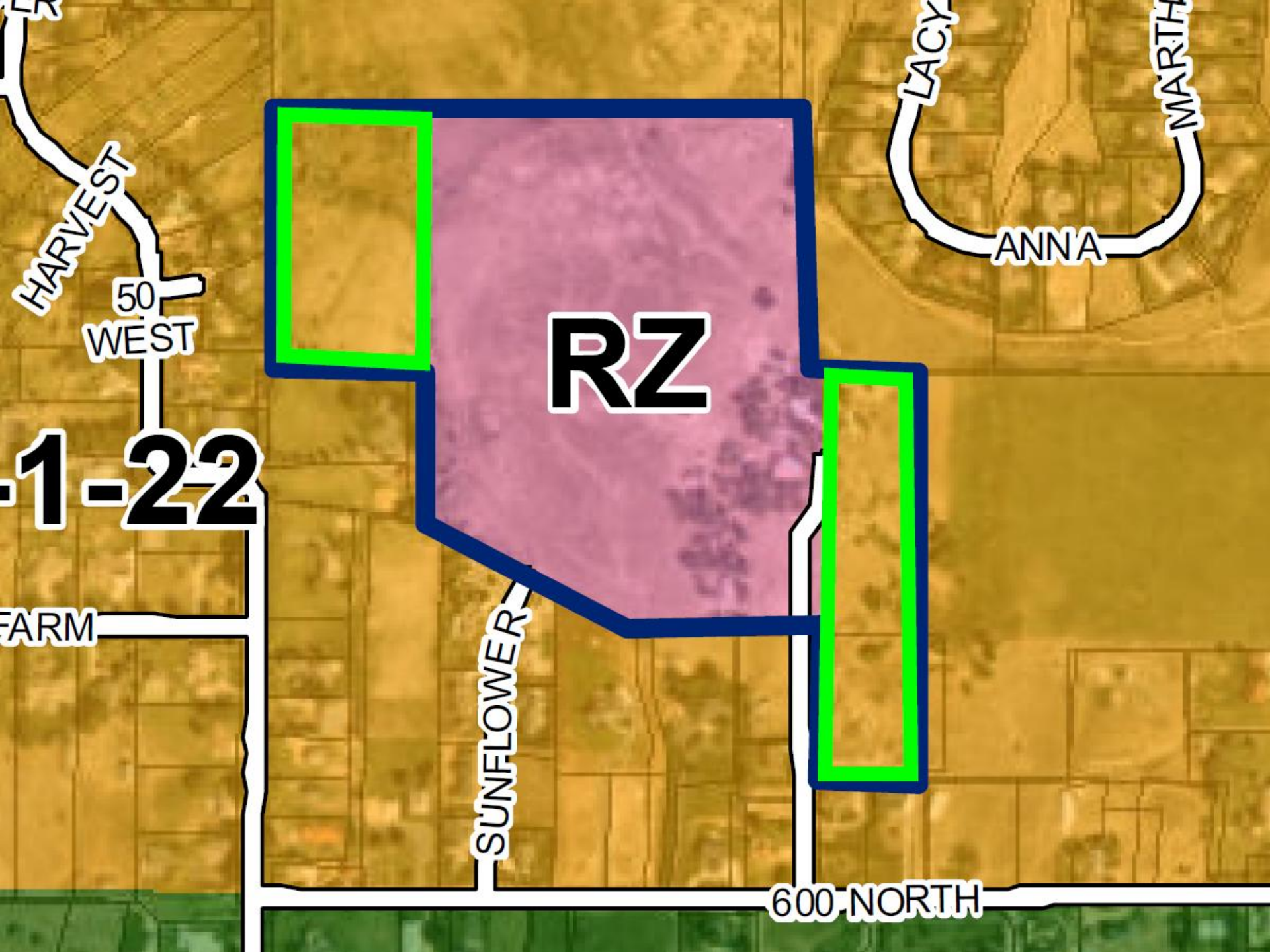
BURNS FIELDS

DANA

SWISS

R-

FA



RZ

1-22

FARM

600 NORTH

SUNFLOWER

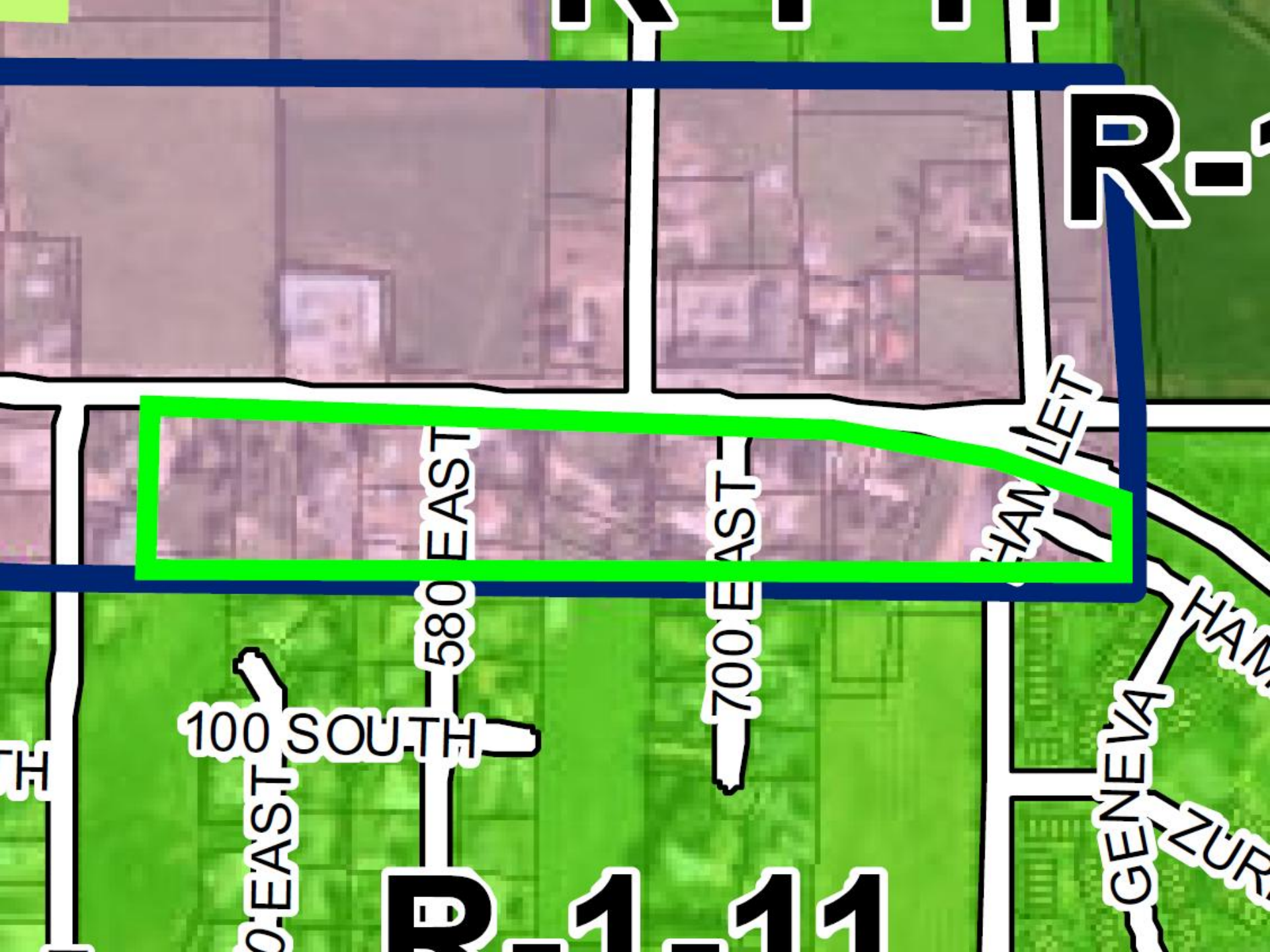
50 WEST

HARVEST

ANNA

LACY

MARTHA



100 SOUTH

580 EAST

700 EAST

HAMILTON

GENEVA

ZURICH

R-1

R-1-11

100 WEST



100 SOUTH

R-I

TER

AST



Memo

Date: June 30, 2026
To: Mayor, Council, and Staff
Cc: File
From: Brad Wilson, City Recorder
RE: Resort Communities Tax

Midway City currently levies the Resort Communities Tax. State law allows a community to levy the tax if its transient rental capacity is greater than or equal to 66% of its census population.

The following table shows the amount of transient rental capacity received for each bedroom or campsite for certain types of rental units.

Capacity Multiplier

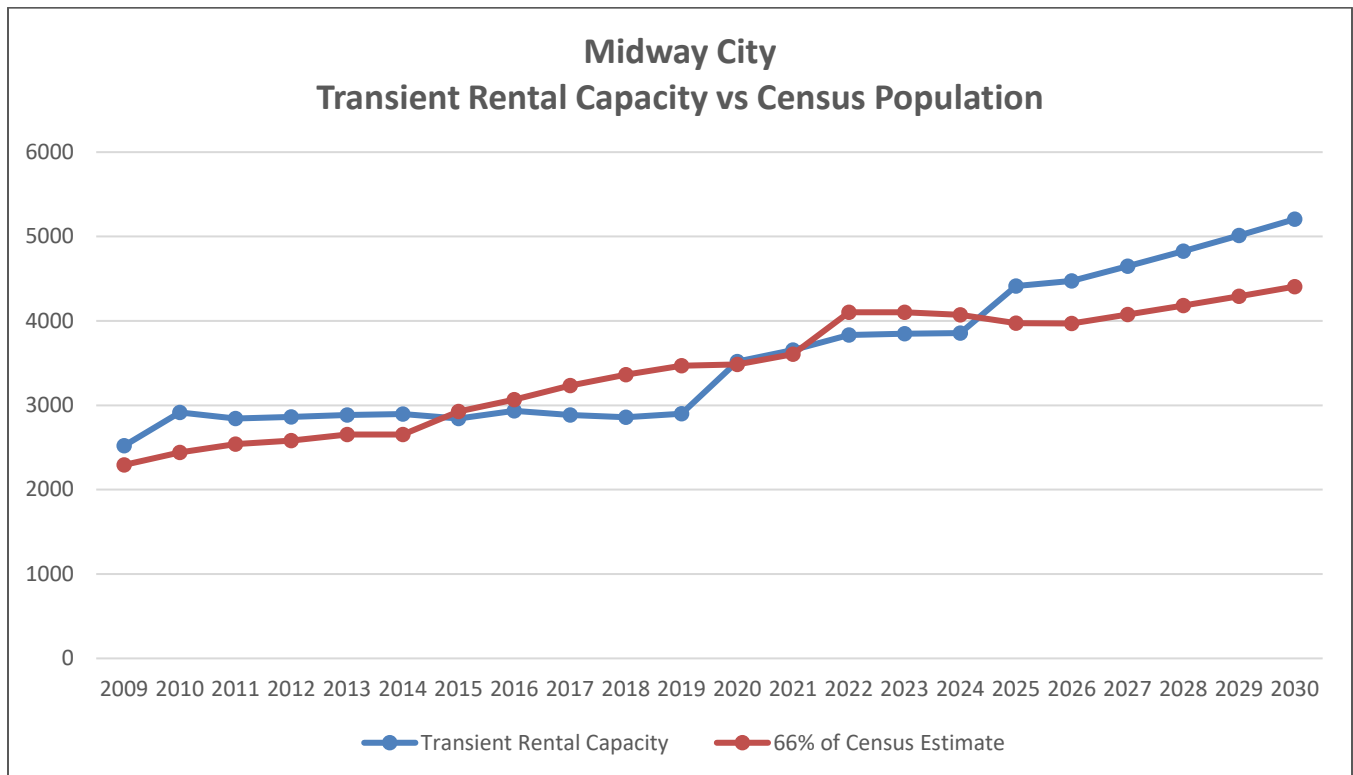
Type of Rental Unit	Transient Rental Capacity
High Occupancy Lodging Unit	4
Recreation Lodging Unit	4
Special Lodging Unit	TBD
Standard Lodging Unit	3

The attached table and chart show the City's transient rental capacity, 66% of its estimated population, the difference between the two in transient rental capacity, and the difference between the two in hotel rooms or standard lodging units. This data is based on the recently completed Transient Rental Capacity Report required by the State of Utah. This data is shown by year from 2006 through 2030.

Future capacity is based on an annual growth rate of 3.86% which is an average for the previous ten years. Future population is based on an annual growth rate of 2.92% which is also an average for the previous ten years. Estimates are shaded. Please note that Midway City's permanent population is slightly decreasing.

Transient Rental Capacity vs Estimated Census Population

Year	Transient Rental Capacity	66% of Census Estimate	Excess Capacity	Excess Hotel Rooms
2006	2514	1669	845	282
2007	2514	1669	845	282
2008	2514	1669	845	282
2009	2520	2293	227	76
2010	2916	2443	473	158
2011	2844	2538	306	102
2012	2862	2581	281	94
2013	2883	2655	228	76
2014	2895	2655	240	80
2015	2844	2928	-84	-28
2016	2934	3066	-132	-44
2017	2883	3233	-350	-117
2018	2859	3361	-502	-167
2019	2901	3470	-569	-190
2020	3518	3485	33	11
2021	3653	3604	49	16
2022	3833	4104	-271	-90
2023	3848	4103	-255	-85
2024	3855	4073	-218	-73
2025	4414	3974	440	147
2026	4474	3969	505	168
2027	4647	4074	572	191
2028	4826	4182	643	214
2029	5012	4293	719	240
2030	5205	4407	798	266



This data indicates that Midway City will be able to levy the Resort Communities Tax for the foreseeable future. The Tax provided \$1,216,542 in revenue for Fiscal Year 2025.

Please contact me if you have any questions.

POLICY & FISCAL IMPACT MEMORANDUM

TO: Midway City Planning Commission & City Council **DATE:** August 5, 2026

FROM: Kent Jones (Concerned Taxpayer) **SUBJECT:** TROD Contraction & Long-Term Preservation of Resort Tax

1. Executive Summary & Fiscal Context

Midway City is approaching a critical financial juncture driven by the interplay between residential population growth, short-term rental (STR) capacity, and statutory tax authority. Currently, Midway receives more revenue into its General Fund through the **Resort Community Sales Tax** than it collects from all city property taxes combined.

Under Utah statutory requirements, a municipality must maintain a capacity of transient room nights equal to at least **66% of its permanent population (the 0.66 ratio)** to retain the authority to levy the Resort Community Sales Tax. Midway is currently short of "officially" licensed short-term rentals needed to achieve and comfortably maintain this statutory capacity ratio. As the Transient Room Overlay District (TROD) contracts, the risk of losing this vital revenue stream increases exponentially.

CRITICAL REVENUE RISK PROFILE

If Midway's transient room capacity ratio falls below 0.66 for three consecutive years, the authority to levy the Resort Community Sales Tax is permanently lost. Replacing this revenue would require an immediate **city property tax increase exceeding 120%**. Furthermore, recent state legislative trends (e.g., HB 484 and SB 97) indicate strong intent to cap municipal property tax increases at 5% annually, which would render revenue replacement legally impossible.

2. Current Subdivisions Under Consideration for TROD Removal

The Planning Commission is currently considering removing the TROD from several key subdivisions. These areas contribute significantly to current and potential future transient room capacity. A review of land use classifications as of October 31, 2024, across affected subdivisions underscores the existing baseline:

TABLE 1: LAND USE STATUS IN TARGET SUBDIVISIONS (AS OF 10/31/2024)

SUBDIVISION / AREA	PRIMARY RESIDENCES	SECONDARY RESIDENCES	UNDEVELOPED PARCELS	ACTIVE / GRANDFATHERED STRS
Midway Village	30	9	2	Subject to TROD provisions
Turnberry	39	21	7	Grandfathered STR units active
Rising Ranch	0	1	7	1 active STR (4-bedroom / 12 capacity)

In addition to existing developments, units at **Southill** could potentially be rented as STRs. However, if future buyers choose to occupy those units as primary residences instead, it negatively affects both the numerator (reducing potential transient room capacity) and the denominator (increasing the permanent population) of the capacity ratio.

3. The Dynamics of the 0.66 Capacity Ratio Formula

The statutory ratio governing Midway's resort sales tax authority is defined as:

$$\text{Transient Capacity Ratio} = \left[\frac{\text{Total Official Transient Room Capacity (Numerator)}}{\text{General Permanent Population (Denominator)}} \right] \geq 0.66$$

There are numerous moving variables currently influencing both sides of this equation:

- **Transient Room Capacity (Numerator):** While projected developments at *Ameyalli* and *The Homestead* will provide temporary relief and boost short-term room night capacity, growth at Ameyalli may be slower than anticipated. Furthermore, grandfathered units in Turnberry and active listings in Rising Ranch currently bolster this numerator.
- **General Population Growth (Denominator):** Residential infill and new subdivision approvals expand permanent population. Crucially, a major unmanaged variable is the conversion of **secondary residences to primary residences**. When a secondary owner relocates permanently to Midway, the general population increases without a single new build, immediately diluting the ratio.

4. Detailed Micro-Example: Rising Ranch Subdivision

To understand how land use decisions directly impact city finances, consider the 7-parcel buildout scenario at **Rising Ranch Subdivision**. Currently, Rising Ranch has one active 4-bedroom short-term rental contributing 12 transient room nights.

TABLE 2: COMPARATIVE FISCAL & CAPACITY IMPACT (RISING RANCH BUILDOUT)

IMPACT VECTOR	OPTION A: REMOVE TROD (7 PRIMARY RESIDENCES)	OPTION B: RETAIN TROD / STR (1 EXISTING + 6 STRS @ 3-BED)	NET FISCAL / CAPACITY DIFFERENCE
Transient Capacity (Numerator)	0 transient nights added	+66 transient room nights	+66 room night capacity gain
General Population (Denominator)	+21 residents (~3 per home)	0 additional permanent residents	Option A dilutes 0.66 ratio
City Property Tax Revenue (GF + Open Space Bonds @ \$1.5M val)	\$4,490 / year total (Benefits from 45% Primary Exemption)	\$8,170 / year total (Assessed at 100% full market value)	+\$3,680 / year (+82%) under Option B
City Sales & Transient Tax (\$400/night @ 250 nights/yr)	Negligible direct municipal sales tax	~\$25,000 / year	+\$25,000 / year in dynamic city tax revenue
Total Direct Municipal Yield	\$4,490 / year	\$33,170 / year	~7.4x higher municipal revenue

PROPERTY TAX EXEMPTION MULTIPLIER

Under Utah law, primary residences receive a 45% exemption from property taxes, paying tax on only 55% of assessed value. Secondary and short-term rental properties pay full tax on 100% of value. Removing TROD status converts potential secondary/STR properties into primary homes, reducing direct property tax yields by 45% while simultaneously increasing municipal service demand and diluting the resort tax ratio.

5. The Strategic Imperative: Mandatory Long-Term Growth Planning

While short-term capacity gains at large master-planned resorts like Ameyalli and The Homestead may temporarily allow Midway to meet the required 0.66 ratio, relying solely on these projects presents severe long-term fiscal risks. Over time, the continuous, compounding growth in Midway's permanent population will inevitably outpace transient room capacity if the municipal footprint for short-term rentals continues to shrink. Because Midway's official licensed capacity is already below the required threshold, every decision that reduces TROD acreage accelerates the timeline toward losing the resort tax.

Midway City must immediately formulate and implement a comprehensive, long-range growth plan designed to ensure that official transient room capacity scales in direct proportion with permanent population expansion. Without an intentional strategy that preserves, manages, and actively expands compliant transient room capacity alongside residential development, the statutory ratio will eventually fail. Establishing a sustainable equilibrium between permanent resident growth and transient capacity is the only path to protecting Midway's municipal budget and preserving the Resort Community Sales Tax indefinitely.

From: [Office Manager](#)
To: mjones@midwaycityut.gov
Subject: In favor of rezoning the TROD
Date: Thursday, June 25, 2026 4:20:56 PM

CAUTION: This email originated from outside of the organization. Do not reply, click links or open attachments unless you recognize the sender's email address and know the content is safe.

Hello,

Would you please forward my email onto the Planning Commission re: the TROD re-zoning?

My name is Jody Anagnos and I live at [REDACTED], Midway. About a year ago an AirBnb was approved on our street. We were never notified of an application of this even happening on our street so we found out about it when we noticed 'new neighbors' and checked AirBnb and found the listing. Although the owners of this home were home from time to time, they initially told neighbors they were only renting to friends and family which, of course, is not true. Now they have acquired another AirBnB in the Granary Building and have since purchased the Heber Senator, it is a business for them. They no longer live at the property at all. It's a rental. Along with this nightly rental at 30 S 700 E, we found another neighbor at the end of our street who isn't even in the TROD was illegally renting their house as well.

There are 13 houses on our street. We feel it when there are 'new neighbors' every weekend. We have been inundated with large parties, up to 15 cars one weekend, dogs running loose, non stop dogs barking for the whole weekend while the guests are in and out throughout the whole weekend. Most people on our street live there year round, we are good neighbors and we interact as neighbors and take care of each other. We do not support Airbnbs in our residential neighborhoods.

We moved to Midway because we like living in a small town. I will never understand why this was allowed in residential neighborhoods when we have two large resorts in town and even more with Southhill and Amayalli being built. Let the resorts handle the visitors. I have never been given the number of 'beds' required for the resort tax but I'm sure it's well more than we need with all the upgrades at Homestead and Zermatt is huge. Airbnbs are left unmonitored and we are really unhappy with this in our residential neighborhoods. When I have come to public comment about this, other residents couldn't believe the TROD extended so far east down Main Street. It's the first four houses on our street which aren't even Main Street facing. It's great that people think Midway is so cute and quaint but Midway is losing its charm and small town feel when we can't even enjoy our own properties. It's bad enough we can't even enjoy the great restaurants on the weekends because of all the visitors. We need the peace of our properties.

I strongly urge you to protect residents and our properties by re-zoning the TROD to NOT allow nightly rentals in residential neighborhoods. I am the most vocal on my street but I assure you, we have a group street text and the immediate neighbors to this property are not happy with nightly rentals.

I plan to attend each public hearing to make sure my voice is heard loud and clear. The owners of this property are aware of my intent as well as I have been very clear about our displeasure. My husband and I work hard to afford our house and life in Midway. We are raising two

teenagers and we want the peace on our street.

I'm happy to answer any questions you might have at [REDACTED] or [REDACTED]
[REDACTED].

Thank you,
Jody Anagnos & Brent McElhaney
[REDACTED]

From: [James Paull](#)
To: [REDACTED]
Subject: Fwd:
Date: Monday, August 3, 2026 8:02:57 AM

CAUTION: This email originated from outside of the organization. Do not reply, click links or open attachments unless you recognize the sender's email address and know the content is safe.

Dear Mr. Henke,

Thank you for your letter regarding the proposed zone map amendment regarding areas in Midway's Rental Overlay District which include removal of the Turnberry PUD from the district.

Turnberry was built in 2004 on land developed by the Homestead Resort in a partnership arrangement with other developers. The sales team promoted nightly rentals to prospective owners. By 2012 nightly rentals had become a divisive issue in the community. When the Covenants were restated in 2015, one of the goals was to eliminate this contentious issue.

At the time, there were 3 nightly rentals qualified under the Midway TROD as Turnberry nightly rentals. The Turnberry Board sought a solution that would satisfy the majority of homeowners not wanting nightly rentals as well as protect owners who bought into the community in part because of Turnberry's allowance for them. Owners participated in a process seeking to protect majority and minority interests. New Covenants grandfathered three existing nightly rentals and also allowed for a relatively short period in which owners could file TROD applications with Midway City.

Perhaps this is a better solution for my community than the proposal being considered by the Planning Commission.

Today only 2 of 25 homes in Turnberry allow for nightly rentals. When these homes eventually sell, new owners will not be permitted to apply to the City and use their homes as nightly rentals.

I have copied my fellow Board Members in 2015 (Powers, Omdahl), current Board Members (Swainston, Johnson, Schultz), and current Turnberry Property Manager Cartwright PM.

Kindly enter these comments into the Planning Commission's August 11, 2026 meeting file.

Respectfully,

James F. Paull

Turnberry Board Member '13-'17, President '14-'17



Midway, UT

From: [John Kirkham](#)
To: mhenke@midwaycityut.gov
Subject: TROD proposal
Date: Tuesday, August 4, 2026 4:24:34 PM

CAUTION: This email originated from outside of the organization. Do not reply, click links or open attachments unless you recognize the sender's email address and know the content is safe.

Michael - As you may remember we have a home in Midway Village. I recently received the letter regarding the proposed zone map amendment regarding short-term rentals. I thought you might be interested in an amendment to the Midway Village CC&R's that was adopted in 2015. It can be found recorded as Entry 408488 in BK 1121, Pages 1269-1271. It reads in part, "no Dwelling Unit within the Property shall be rented or sub-let to any renter or sub-tenant for a period less than 30 consecutive days."

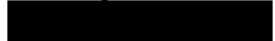
Thus, the Midway Village CC&R's would be consistent with and support the proposed map amendment.

Thanks for all you do for our city.

John S. Kirkham



Midway:



Midway, Utah 84049

From: [Holly Bodily](#)
To: [Michael Henke](#)
Subject: TROD
Date: Monday, August 17, 2026 12:05:23 PM

CAUTION: This email originated from outside of the organization. Do not reply, click links or open attachments unless you recognize the sender's email address and know the content is safe.

Hi Michael,

We are writing to express our concern regarding the proposed removal of overnight/nightly rental eligibility from our property. When we purchased and built on our lot, it was zoned as part of the resort and preservation subdivision. We were required to comply with associated rules and restrictions, including significant delays and added costs tied to utilities, permits, because we are tied to the Mountain Spa Rural Subdivision/the Ameyalli Resort development. These requirements were presented to us as part of that zoning designation, and we worked our building around them at great inconveniences to us.

We have no intention of operating our home as a nightly rental. However, we believe the underlying zoning designation and associated rights should **not be removed after the fact**, particularly when they were part of the basis for our purchase and building decisions.

We are concerned about fairness in treating our property differently from the properties next door to us, which are used as nightly rentals. It is concerning that we are now being asked to give up a benefit associated with that zoning after we have already borne the increased costs, time delays, and restrictions that came with being considered part of the subdivision.

We also believe it is important to distinguish our property from other properties or areas being considered for a change in designation. Some of the other areas being discussed around the City are already completed subdivisions with HOA regulations already in place. Our situation is different. Our property is part of a large scale subdivision, yet the proposed change would single out only three lots for removal from the existing designation. We respectfully ask that this distinction be considered before removing our zoning rights that were in place at time of purchase.

We also respectfully request clarification on the purpose of this proposed change and the specific issue it is intended to address. If the concern is traffic, noise, or other impacts associated with overnight rentals, we would appreciate understanding how removing this designation from these three properties would address those concerns. Our properties already experience significant traffic and disruption from ongoing resort construction and renters using the surrounding properties.

The original resort plans included signage and communication to renters and construction workers indicating that 200 E. was not intended to be used as a primary access road. That commitment has never been adequately implemented, and we continue to bear the resulting inconvenience. If traffic is part of the concern, we would respectfully ask that the existing commitment be honored and traffic be appropriately funneled to Burgi Road as originally promised, rather than addressing the issue by removing zoning rights from individual property owners.

We are not opposed to responsible planning or regulation. Our concern is simply that zoning rights relied upon in good faith should not be removed without a clear justification, particularly when the proposed change appears to affect only three lots within a larger subdivision and when other, more direct solutions to concerns such as traffic may already exist.

At a minimum, we respectfully request that our property be **grandfathered under the existing zoning and that associated rights be preserved.**

Thank you for your time and consideration,

Sincerely,
Chris & Holly Bodily





ORDINANCE 2026-24

AN ORDINANCE TO AMEND THE MIDWAY CITY ZONING MAP BY REMOVING CERTAIN PROPERTIES FROM THE TRANSIENT RENTAL OVERLAY DISTRICT.

WHEREAS, pursuant to Utah Code Section 10-9a-509 the Midway City Council may formally initiate proceedings to amend city land use regulations; and

WHEREAS, Midway City has established a Transient Rental Overlay District (TROD) governing the areas in which short-term nightly rentals may operate; and

WHEREAS, after reviewing the TROD regulations and geographic boundaries, the City Council directed City Staff to initiate a formal boundary amendment to reduce the size of the TROD; and

WHEREAS, the Planning Commission unanimously recommended that the City Council approve the proposed zone map amendment removing the areas identified in the staff report from the TROD; and

WHEREAS, the City Council finds that the amendment is consistent with the Midway City General Plan, including its policies to preserve long-term housing supply, neighborhood stability, and Midway's community character;

NOW THEREFORE, be it ordained by the City Council of Midway City, Utah, as follows:

The Official Zoning Map of Midway City is hereby amended to remove the following areas from the Transient Rental Overlay District, as depicted in Exhibit A attached hereto and incorporated herein:

1. Turnberry PUD;
2. Turnberry Woods PUD;
3. Midway Village PUD;
4. Rising Ranch Subdivision;
5. The specific lots in the Mountain Spa Rural Preservation Subdivision identified in Exhibit A;
6. The area along 100 South between 50 West and 100 West identified in Exhibit B; and
7. The area within the C-2 zone located east of Fox Den Road and south of Main Street identified in Exhibit C.

Following the effective date of this ordinance, no new transient lodging rental units shall be permitted within the areas removed from the TROD by this amendment, except as otherwise provided by applicable law and the Midway City Municipal Code.

This Ordinance shall take effect 20 days after publication or posting or 30 days after final passage by the governing body, whichever is closer to the date of final passage.

PASSED AND ADOPTED by the City Council of Midway City, Wasatch County, Utah
this day of 2026.

Council Member Andy Garland	_____
Council Member Lisa Orme	_____
Council Member Andrew Osborne	_____
Council Member Kevin Payne	_____
Council Member JC Simonsen	_____

APPROVED:

Craig Simons, Mayor

ATTEST:

APPROVED AS TO FORM:

Brad Wilson, City Recorder

Corbin Gordon, City Attorney

DRAFT

Exhibit A

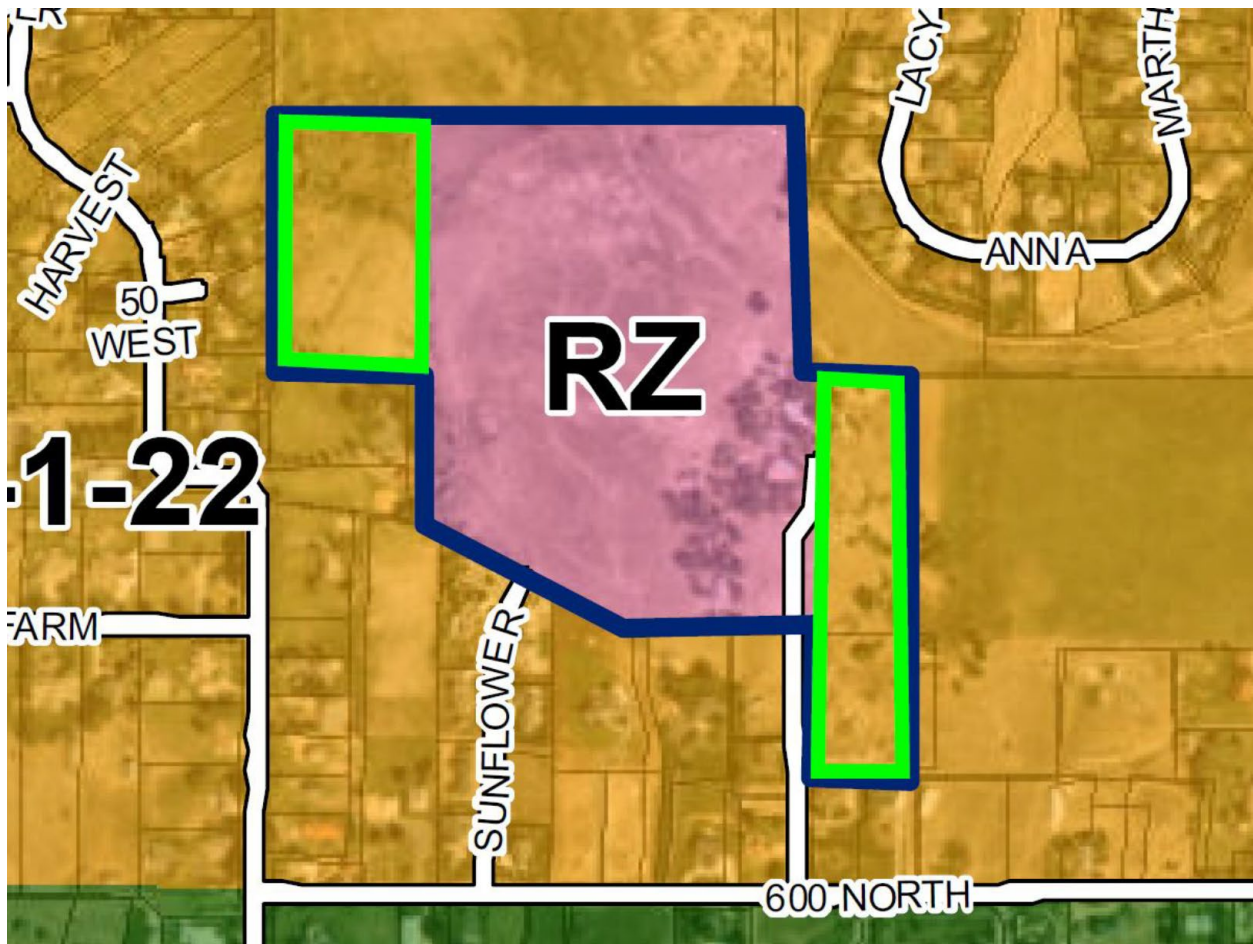


Exhibit B

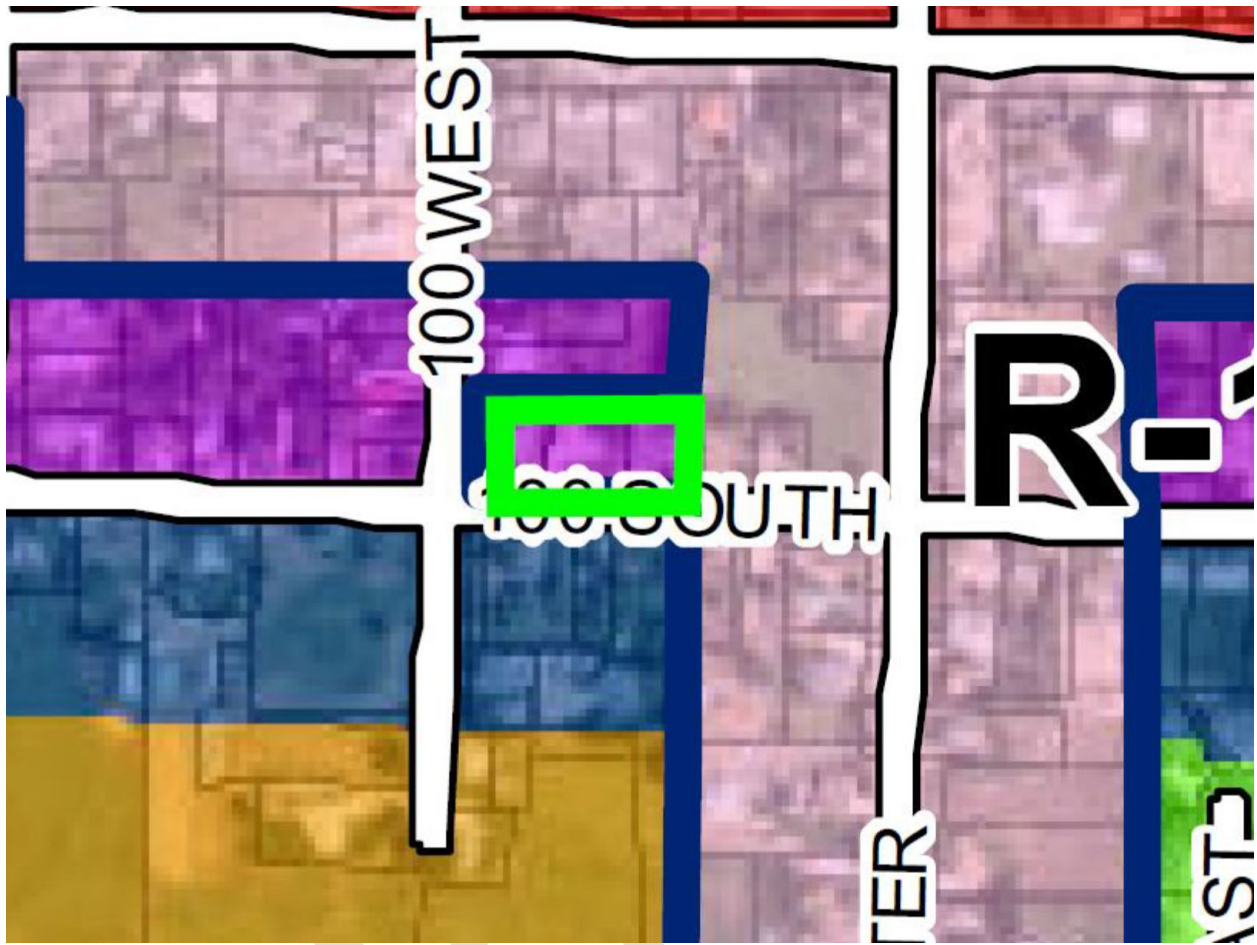


Exhibit C

