

Transient Rental Unit Conditional Use Permit

Darin Heckel



Midway
C.A.R.E.S.

TRU Conditional Use Permit

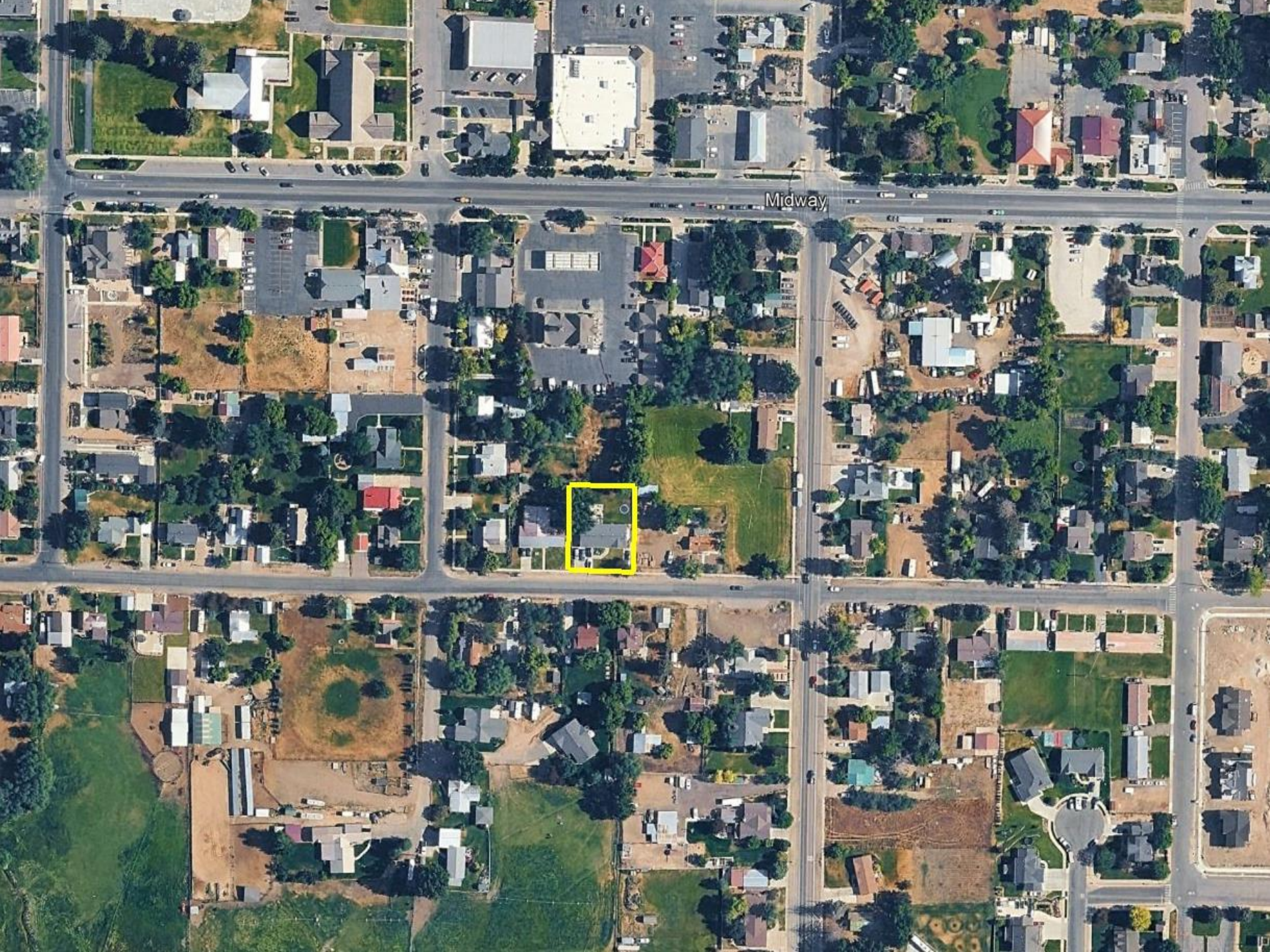
- Zoned R-1-7
- Was in the TROD when the application was submitted (7-27-2026)
- Has since been removed from the TROD
- Application is vested with the date it was submitted
- CUP must be acted on in one year or the CUP expires

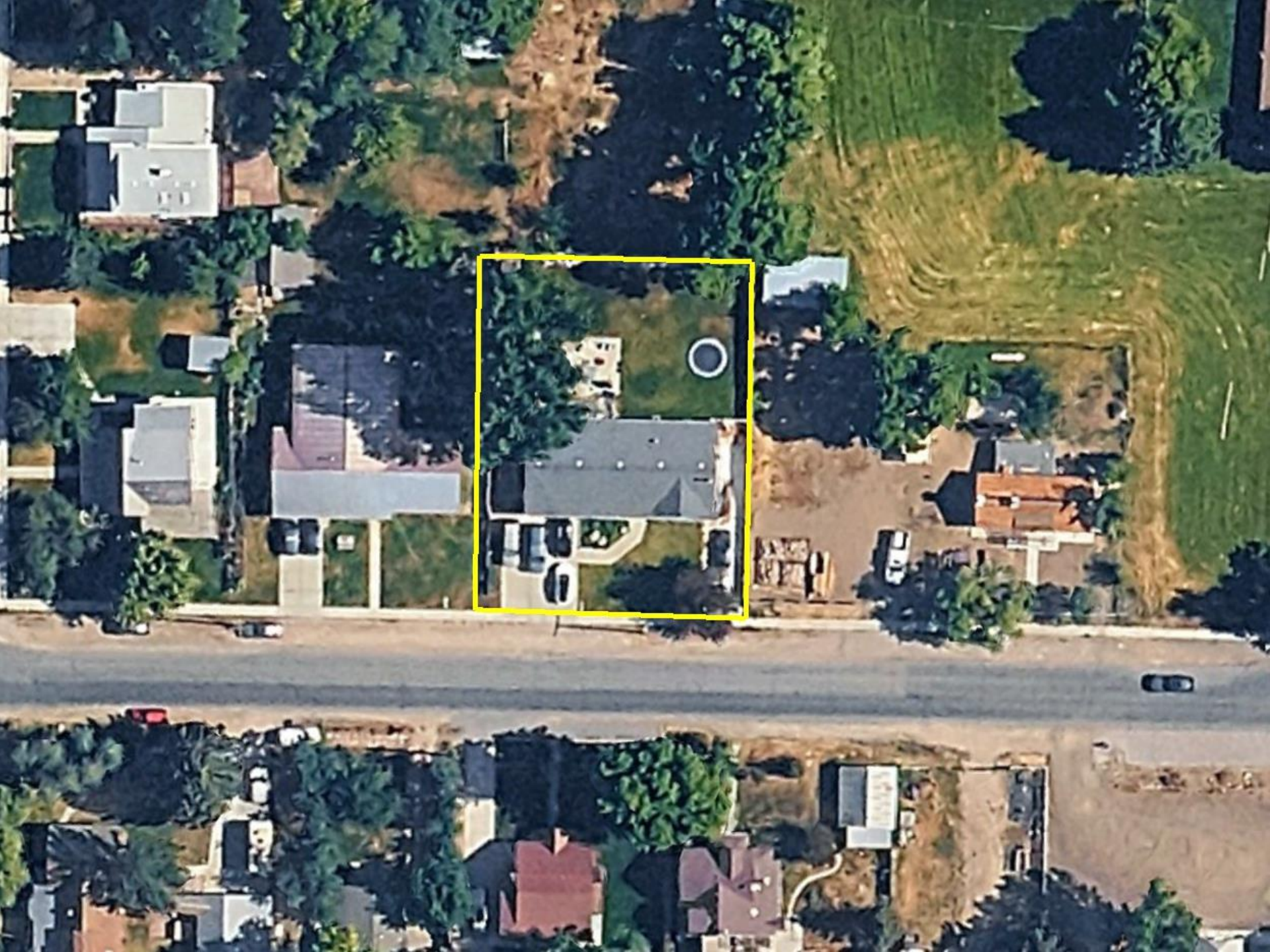




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Possible Findings

- The proposed use is conditionally permitted within the Land Use Title and would not impair the integrity and character of the intended purpose of the subject zoning district and complies with all the applicable provisions of this Code.
- The proposed use is consistent with the General Plan.
- The approval of the conditional use or special exception permit for the proposed use appears to comply with the requirements of state, federal and Midway City or other local regulations.
- There appear to be no potential, significant negative effects upon the environmental quality and natural resources that could not be properly mitigated and monitored.
- The design, location, size, and operating characteristics of the proposed use appear compatible with the existing and future land uses within the general area in which the proposed use is to be located and will not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other permitted uses in the vicinity or adverse to the public interest, health, safety, convenience, or welfare to the City.
- The subject site is physically suitable for the type and density/intensity of the proposed use.

Possible Findings

- There are adequate provisions for public access, including internal and surrounding traffic flow, water, sanitation, and public utilities, and services to ensure that the proposed use would not be detrimental to public health and safety.
- The property falls within Midway's Transient Rental Overlay District (TROD)
- Because the property is in the TROD, but not within the C-2, C-3, or RZ zones, the proposed use is a conditional use pursuant to Midway City Code Section 7.06.050(A).
- The rental of the property for transient lodging purposes is subject to and conditioned upon compliance with Midway City Code including, but not limited to, licensing, nuisance, light and sign ordinances, as well as required inspections.
- Limit occupancy to a maximum of 12 persons or the maximum determined appropriate by the City Building Official/Fire Marshall, whichever is less.

Proposed Condition

If the CUP is granted, occupancy of the short-term rental shall be limited to a maximum of 12 people or the maximum determined appropriate by the City Building Official/Fire Marshall, whichever is less.



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Six Key Points

Midway CUP Hearings • October 6, 2026 • Nelson, Heckel and Lythgoe

1. Review each property

Make separate findings based on actual site conditions.

2. Conditions have changed

Business parking overflow, turning movements and sight-distance concerns have increased since 2022.

3. Evaluate pedestrian safety

Nelson and Heckel: school-route sidewalk on 100 South.

Lythgoe: sidewalk on 100 West.

4. Clarify the record

Unanswered application sections, completeness dates, and enforceable occupancy and parking limits.

5. Assess combined effects

Three adjacent rentals share one short corridor: vehicles, driveway movements and service activity.

6. Obtain an engineering review

Before deciding, obtain a City Engineer field review and record findings addressing impacts and mitigation.