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MINUTES

Oakley City Planning Commission
Wednesday March 17, 2021
Electronic Meeting
Zoom Platform
7:00 pm

AGENDA

1. Call the meeting to order
2. Approval of meeting minutes for 3/3/2021
3. Public Hearing: Conditional Use Permit. Applicant: Harding. Accessory Dwelling.
4. Public Hearing: Conditional Use Permit. Applicant: Newport Academy. Coed therapeutic boarding school and licensed residential treatment center for high school age adolescents.
5. Public Hearing: Proposed General Plan, Maps, and Land Use and Management Code
6. Discussion (time permitting:) Land Use and Development Code
7. Chairman/Planner Items
8. Adjourn

MINUTES

1. Call to order and roll call:
 - a) Planning Commission: Chairman Zane Woolstenhulme; Commission Members: Doug Evans, Cliff Goldthorpe, Richard Bliss, Jan Manning
 - b) City Staff: Stephanie Woolstenhulme, City Planner; Tristin Leavitt, City Treasurer
 - c) Other: V. Walker, Dusty Leavitt, Annie Gendaszek, Bobbi Anne Whitehead, Brett Schumaker, Carla Wilmoth, Jack Livingood, Gary Beroset, Jameson Norton, Jim Adams, Joe Procopio, Joyce Nelson Clark, Justing Harding, Karma Bonner, Katherine Scott, Kelly Kimber, Ken Brown, Larry Leifson, Shawn Ferrin, TS, Wade Woolstenhulme, Amy Rydalch, Wes Leavitt, Whitney Weiss, ST, Steve's iphone, Sheri Kay Leavitt, Tom Smart, Mike Lee, Michael Weiss, Loren Broadbent, 777869, Dave Neff, Acc guest, guest, Sam.
2. Approval of meeting minutes for 3/3/2021

Chairman Zane Woolstenhulme entertains a motion to approve the minutes of 3/3/2021.
Richard Bliss makes the motion to approve the minutes from 3/3/2021.
Doug Evans seconds the motion.
All in favor.

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3. Public Hearing: Conditional Use Permit. Applicant: Harding. Accessory Dwelling

Planner Stephanie Woolstenhulme shares proposal:

The applicant wishes to comply with Oakley City Code for an existing accessory dwelling on his parcel. When Mr. Harding purchased the parcel it had a primary dwelling, accessory dwelling and barn. Subdivision application has been submitted that will make this property Lot 1 in the North Star Ranch Subdivision.

Justin Harding states that the barn is unfinished up top and a garage is in the bottom with stalls. Would like to finish at some point as a recreational room. **Planner Stephanie Woolstenhulme** clarifies for the commission that they are permitted to do that as long as there is not a kitchen, bedroom and bathroom.

Commissioner Zane Woolstenhulme opens it up for public hearing.

No comment.

Commissioner Zane Woolstenhulme closes the public hearing.

Planner Stephanie Woolstenhulme shares findings of fact and conditions of approval.

Findings of fact:

- The dwelling is located at approximately 4450 N New Lane Road.
- Property is located in the Agricultural 5 Acre (A-5) zone.
- Project is an accessory dwelling-1100 sq. feet.
- Septic-accessory dwelling and primary has it's own septic.
- Water-primary and accessory dwellings on a well.

Conditions of approval:

- At the time the water line for pending subdivision is installed, a fire hydrant needs to be placed within 250 feet of primary and accessory dwelling.
- One of the buildings (primary or accessory) needs to be owner occupied per city code.
- No living quarters in the barn.

Commissioner Zane Woolstenhulme entertains a motion to approve this conditional use permit as proposed by **Planner Stephanie Woolstenhulme**.

Doug Evans makes the motion to approve the conditional use permit according to the findings of fact and conclusions of law as presented by the City Planner and the conditons of approval are those that she has prepared.

Jan Manning seconds the motion.

4. Public Hearing: Conditional Use Permit. Applicant: Newport Academy. Coed therapeutic boarding school and licensed residential treatment center for high school age adolescents

Planner Stephanie Woolstenhulme shares proposal:

88 The applicant wishes to secure a conditional use permit prior to purchasing the metioned
89 property. Existing conditional use permit would be vacated. Purpose of new conditional use
90 permit is for a coed therapeutic boarding school and licensed residential treatment center
91 for high school age adolescents.

92
93 **Joe Procopio** is CEO at Newport Healthcare. He shares a slideshow about the history of the
94 Academy, an overview of Newport and plans for the Oakley campus.

95
96 **Jameson Norton** speaks on the safety of the program and how they plan on creating a safe
97 environment for their care teams, clients & community.

98
99 **Planner Stephanie Woolstenhulme** shares findings of fact and possible conditions of
100 approval.

101
102 Findings of fact:

- 103 -The dwelling is located at approximately 251 W. Weber Canyon Road.
- 104 -Property is currently split zoning, RR2-A40. Proposed zoning map makes entire
- 105 property A-40.
- 106 -Project is on Oakley City water and sewer.

107
108 Possible conditions of approval:

- 109 -Number of enrolled adolescents is not more than 60 and all enrolled are between the
- 110 ages of 13 to 18.
- 111 - A staff ratio of no less than one staff to every four adolescents shall exist at all times,
- 112 except nighttime sleeping hours when staff may be reduces. A mixed gender population
- 113 shall have at least one male and one female staff on duty at all times.
- 114 - The nighttime sleeping hours adult to adolescent ratio is never less than 6 adolescents
- 115 to 1 adult.
- 116 -Adolescents meet the client profile of a primary mental health diagnosis deem
- 117 appropriate for treatment at the residential level of care in Utah.
- 118 -Adolescents are screened for exclusionary criteria pre-admission.
- 119 -Not accept those convicted of felony or those charged with a folny and awaiting trial,
- 120 engaged in sexual perpetration, non-consensual sexual assaults or lude acts, severe
- 121 psychiatric or behavioral issues who present an imminent risk of harm to self or others.
- 122 -Comply with State and Federal regulations, including but not limited to Utah Code
- 123 Section 62A; Rule 501. Provide copy of current licensing and inspections with annual
- 124 business license renewal.
- 125 -City can bring someone independent to evaluate compliance with admission
- 126 requirements.
- 127 -Adolescents may not have personal cars on-site and are not permitted off-site without
- 128 permission.
- 129 -Facility to provide transportation when teens are off-site.
- 130 -Off-campus ratio of 4 adolescents to 1 adult.
- 131 -Only certain students qualify for off-site activities.
- 132 -No construction in river bottoms without first complying with the requirements of
- 133 Oakley City.
- 134 -Use of irrigation water for all landscaping purposes.

- 135 -Any construction apart from cosmetic upgrades will go through appropriate permitting
- 136 with Oakley City.
- 137 -No chain link fence.
- 138 -Meeting lighting requirements of dark sky initiative.
- 139 -Cannot enter into non-profit status without Oakley City approval.
- 140 -Plan for business non-compliance.
- 141 -Always carry liability insurance to protect public due to negligent acts.
- 142 -Any amendment to conditional use permit must be approved by planning commission
- 143 and city council.
- 144 -Security must have law enforcement background.
- 145 -On-call doctors/psychologists with numbers provided to Oakley City and Summit County
- 146 Sheriff's office.
- 147 -Housing for up to 20 employees on-site.
- 148 - Operations hours for delivery goods and guest visits. Student hours. Curfew.
- 149 - Damage or nuisance arising from noise, odor, smoke, dust, illumintaion.
- 150 - Sufficient parking for the number of required employees and guests.
- 151 - Maintain fence on perimeter for agricultural purposes.
- 152

153 Some discussion among planning Commission and Newport regarding average number of
154 stay, number of employees on site, qualifications of nighttime staff and security.

155
156 **Commissioner Zane Woolstenhulme** opens it up to the public for comment.

157
158 **Dusty Leavitt** lives at adjacent property. Has some concerns pertaining to security, liability
159 and acceptance criteria.

160
161 **Jack Livingood** original founder of Oakley School. Feels like this is the right thing to do for
162 the campus.

163
164 **Joyce Nelson Clark** lives at 3642 E. Weber Canyon Drive. Has some concerns about what this
165 will look like for the City and is this the reputation the City wants to have.

166
167 **Mike Lee** lives on Cow Alley. Confused on how the City and our community will benefit from
168 this.

169
170 **Wes Leavitt** lives just northeast of the property. Has some security and liability concerns.
171 Wants to ensure that Newport is aware they are next to a working ranch and the conflict
172 that may arise.

173
174 **Sheri Kay Leavitt** wants to know Newport's take on liability and how they will mitigate their
175 responsibility.

176
177 **Sheri Kay Leavitt** (chat message)-Zane, can we add to the list of conditions that they
178 maintain their fencing. That seemed to cause major issues before. They didn't keep the
179 fences mended so the cows got into their yard, but it was always on us

180
181 **Carla Willmouth**(chat message)-I would ask that our community look at how we can partner
182 with the company and see what we can do collectively to make a positive impact on the

183 lives of those children that are seeking help. We must not always assume ill intent, based on
184 the actions of those that preceded. As a family that has suffered from the loss of a child with
185 depression and mental health problems, he never used drugs or committed crime. He
186 simply needed help and no matter what we did on our own, we couldn't provide the help
187 that he needed. Not all individuals that suffer from mental illness are reckless, but are
188 searching for relief from what they are suffering and what is so misunderstood by others.
189 Thank you for your time. My son was an amazing, kind person and it would be a disservice if
190 I didn't speak on his behalf and those that may suffer as he did.

191
192 **Karma Bonner** (chat message)-My mom has been a neighbor to the Oakley School on the
193 west side. She has a running farm and never had an issue with the school or the students.
194 Very positive experience.

195
196 **Mike Lee** (chat message)-Thank you Zane and Doug for answering my questions on how this
197 will affect the community in a positive way.

198
199 **Commissioner Zane Woolstenhulme** closes the public hearing.

200
201 **Commissioner Zane Woolstenhulme** tables the Newport conditional use permit until the
202 next meeting. **Planner Stephanie Woolstenhulme**, City Legal Council and **Doug Evans** will
203 work with **Joe Procopio's** team to draft a conditional use permit and we will hold a special
204 meeting last week of March to approve it with discussed conditions.

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207 5. Public Hearing: Proposed General Plan, Maps, and Land Use and Management Code

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209 **Planner Stephanie Woolstenhulme** shares that this is a public hearing for any further
210 comments on the Code, General Plan and maps. This is the first time the public has had the
211 opportunity to comment on the Zoning map and Sensitive Land Overlay Zoning map.

212
213 **Commissioner Zane Woolstenhulme** opens it up to the public for comment.

214
215 No comments.

216
217 **Commissioner Zane Woolstenhulme** closes the public hearing.

218
219 **Doug Evans** makes a motion that we approve the General Plan as written and General Plan
220 maps A-N and recommend it to the City Council.

221 **Richard Bliss** seconds the motion.
222 All in favor.

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224 6. Discussion (time permitting:) Land Use and Development Code

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226 No time.

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228 7. Chairman/Planner Items

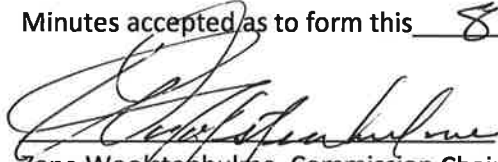
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230 April 7th-Three public hearings.

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8. Adjourn

Chairman Zane Woolstenhulme declares this meeting adjourned.

Minutes accepted as to form this 8th day April of 2021.


Zane Woolstenhulme, Commission Chair

Tristin Leavitt, City Treasurer