



# Oakley City Planning Commission Staff Report

## CONDITIONAL USE PERMIT – Oakley School Property Applicant: Newport Academy

**To:** Oakley City Planning Commission  
**From:** Stephanie Woolstenhulme, City Planner  
**Report Date:** March 15, 2021  
**Date of Meeting:** March 17, 2021  
**Type of Item:** Conditional Use Permit – Public Hearing, Possible Action  
**Process:** Administrative Review

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**RECOMMENDATION:** Staff recommends that the Planning Commission hold a public hearing, review and approve with conditions the Conditional Use Permit according to the findings of fact, conclusions of law and any condition set forth by the Commission.

### PROJECT DESCRIPTION

**Project Name:** Newport Academy  
**Applicant(s):** Newport Healthcare  
**Property Owner(s):** Newport Healthcare  
**Location:** 251 W. Weber Canyon Road  
**Parcel Number(s):** OT-35  
**Size:** 25.04 acres  
**Zone District:** A-5/A-40 (1 unit of density per 5 or 40 Acres)  
**Adjacent Land Uses:** Residential/Agricultural  
**Existing Uses:** Vacant. Previously used as a boarding school under a conditional use permit.  
**Public Hearing:** Public notice was given for a public hearing at this Planning Commission meeting

### PROPOSAL:

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

### FINDINGS OF FACT

1. The dwelling is located at approximately 251 W. Weber Canyon Road.
2. Property is currently split zoning, A-5 and A-40. Proposed zoning map makes entire property A-40.
3. Project is on Oakley City water and sewer.

### **CONCLUSIONS OF LAW**

1. This type of development is allowed in Agricultural zones and has been similarly used in the past.
2. Planning Commission must find that neither the public nor person are materially injured by the proposed subdivision.

### **CITY ENGINEER COMMENTS**

#### **ITEMS OF CONSIDERATION/POSSIBLE CONDITIONS OF APPROVAL**

Below are conditions of approval from previous conditional use permit. All \*are additional thoughts of city planner as possible conditions of approval.

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

15. Any construction apart from cosmetic upgrades will go through appropriate permitting with Oakley City.
16. No chain link fence
17. Meeting lighting requirements of dark sky initiative
18. Cannot enter into non-profit status without Oakley City approval
19. Plan for business non-compliance
20. Always carry liability insurance to protect public due to negligent acts
21. Any amendment to conditional use permit must be approved by planning commission and city council.
22. \*Security must have law enforcement background
23. \*On-call doctors/psychologists with numbers provided to Oakley City and Summit County Sheriff's office
24. \*On-site housing for up to 20 employees on-site
25. \*Operational hours for delivery of goods and guest visits. Student hours. Curfew.
26. \*Damage or nuisance arising from noise, odor, smoke, dust, illumination.
27. \*Sufficient parking for the number of required employees and guests
28. \*Maintain fence on perimeter for agricultural purposes.

#### **CONDITIONS OF APPROVAL**

The Planning Commission is empowered to require additional and reasonable improvements to mitigate any detrimental effects to surrounding property and residents and to safeguard the general welfare of the future inhabitants of the subdivision.

#### ***SITE PLAN***

