



Planning Advisory Board/Zoning Commission Agenda
2 Park Drive South, Great Falls, MT
Commission Chambers, Civic Center
June 14, 2022
3:00 PM

In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), the City of Great Falls and Planning Advisory Board/Zoning Commission are making every effort to meet the requirements of open meeting laws:

- The agenda packet material is available on the City's website: <https://greatfallsmt.net/meetings>. The Public may view and listen to the meeting on government access channel City-190, cable channel 190; or online at <https://greatfallsmt.net/livestream>.
- Public participation is welcome in the following ways:
 - Attend in person. Please refrain from attending in person if you are not feeling well.
 - Provide public comments via email. Comments may be sent via email before 12:00 PM on Tuesday, June 14, 2022, to: jnygard@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name of the commenter and either an address or whether the commenter is a city resident. Written communication received by that time will be shared with the Planning Advisory Board/Zoning Commission and appropriate City staff for consideration during the agenda item and before final vote on the matter; and, will be so noted in the official record of the meeting.

OPENING MEETING

1. Call to Order - 3:00 P.M.
2. Role Call - Board Introductions

Dave Bertelsen - Chair

Tory Mills - Vice Chair

Lindsey Bullock

Kelly Buschmeyer

Pat Green

Samantha Kaupish

Chuck Pankratz

3. Recognition of Staff
4. Approval of Meeting Minutes - May 24, 2022

BOARD ACTIONS REQUIRING PUBLIC HEARING

5. First United Methodist Church "Emergency Shelter" Conditional Use Permit at 610, 618 & 622 2nd Ave N, Great Falls, MT.

BOARD ACTIONS NOT REQUIRING PUBLIC HEARING

COMMUNICATIONS

6. Request to Amend the Downtown Urban Renewal Plan - June 28, 2022 Meeting

PUBLIC COMMENT

Public Comment on any matter and that is within the jurisdiction of the Planning Advisory Board/Zoning Commission. Please keep your remarks to a maximum of five (5) minutes. Speak into the microphone, and state your name and address for the record.

ADJOURNMENT

(Please exit the chambers as quickly as possible. Chamber doors will be closed 5 minutes after adjournment of the meeting.)

Assistive listening devices are available for the hard of hearing, please arrive a few minutes early for set up, or contact the City Clerk's Office in advance at 455-8451. Wi-Fi is available during the meetings for viewing of the online meeting documents.

Planning Advisory Board/Zoning Commission meetings are televised on cable channel 190 and streamed live at <https://greatfallsmt.net>. Meetings are re-aired on cable channel 190 the following Thursday at 7 p.m.

MINUTES OF THE MEETING
GREAT FALLS PLANNING ADVISORY BOARD/ZONING COMMISSION
May 24, 2022

CALL TO ORDER

The regular meeting of the Great Falls Planning Advisory Board/Zoning Commission was called to order by Chair Dave Bertelsen at 3:04 p.m. in the Commission Chambers at the Civic Center

ROLL CALL & ATTENDANCE

UPDATES CONCERNING PROCESS OF MEETINGS

In order to honor the Right of Participation and the Right to Know (Article II, Sections 8 and 9 of the Montana Constitution), the City of Great Falls and Planning Advisory Board/Zoning Commission are making every effort to meet the requirements of open meeting laws:

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 - Attend in person. Please refrain from attending in person if you are not feeling well.
 - Provide public comments via email. Comments may be sent via email before 12:00 PM on Tuesday, May 24, 2022 to: jnygard@greatfallsmt.net. Include the agenda item or agenda item number in the subject line, and include the name of the commenter and either an address or whether the commenter is a city resident. Written communication received by that time will be shared with the City Commission and appropriate City staff for consideration during the agenda item and before final vote on the matter; and, will be so noted in the official record of the meeting.

Planning Board Members present:

Dave Bertelsen, Chair

Tory Mills, Vice Chair

Samantha Kaupish

Chuck Pankratz

Minutes of the May 24, 2022

Planning Advisory Board Meeting

Page 2

Planning Board Members absent:

Lindsey Bullock

Kelly Buschmeyer

Pat Green

Planning Staff Members present:

Craig Raymond, Director Planning and Community Development

Tom Micuda, Deputy Director Planning and Community Development

Brad Eatherly, Planner II

Jamie Nygard, Sr. Administrative Assistant

Cindy Sikes, Permit Technician

Other Staff present:

David Dennis, Deputy City Attorney

Jeff Hindoien, City Attorney

Mr. Raymond affirmed a quorum of the Board was present.

MINUTES

Chair Dave Bertelsen asked if there were any comments or corrections to the minutes of the meeting held on April 12, 2022. Seeing none, the minutes were approved.

BOARD ACTIONS REQUIRING A PUBLIC HEARING

Conditional Use Permit for a “Two-family residence” land use upon the property addressed as 3125 8th Avenue North and legally described as Lot 8, Block 104, Great Falls 12th Addition, Section 5, T20N, R4E, P.M.M., Cascade County, Montana.

Brad Eatherly, Planner II, presented to the Board. He stated that the applicant, Joe McMillen, submitted an application to request a Conditional Use Permit to allow for the construction of a “two-family residence” use upon the property addressed as 3125 8th Avenue North. The subject property is zoned R-3 Single-family high density, wherein a “two-family residence” land use is permitted upon receiving approval of a Conditional Use Permit and fulfillment of any required conditions. There are 4 off-street parking spaces required.

Mr. Eatherly stated that the subject property is a vacant lot that went through the same Conditional Use Permit process in 2018 but the owner never built the “two-family residence”, so the Conditional Use Permit was rescinded in 2019. He stated that the property is a larger than typical lot which allows it to better accommodate the “two-family residence”.

Mr. Eatherly presented an Aerial Map, Zoning Map, Site Plan, Rendering, Site Photos and Street View photos.

Mr. Eatherly stated that there are some proposed improvements that the Interim City Engineer suggested. The sidewalk needs to be repaired and the slope from the alley to the garage must be mitigated to ensure the property and buildings do not receive storm water run-off. He stated that the applicant has agreed to both requirements.

Mr. Eatherly presented the Basis of Decision:

1. The zoning and conditional use is consistent with the City’s Growth Policy.
 - Provides housing diversity and increased density in the core of the City
 - Phy4.1 - Encourage a balanced mix of land uses through-out the City
 - Phy4.1.5 – Encourage redevelopment or adaptive reuse of vacant or underutilized properties so as to maximize the City’s existing infrastructure
 - Phy4.3 – Optimize the efficiency and use of the City’s Public facilities and utilities.
2. The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
 - The neighborhood is mixed in density. Several duplexes and 4-plexes in the vicinity.

Mr. Eatherly presented a few of the Conditions of Approval

1. Sidewalks- The owner must repair portions of the public sidewalk that have been deemed tripping hazards, by the Interim City Engineer.
2. Alley- The grading coming off the alley and onto the property will need to be re-graded so that the proposed detached garage will not have water from the alley damaging the garage in any way.

Minutes of the May 24, 2022

Planning Advisory Board Meeting

Page 4

PETITIONER'S PRESENTATION

None.

PUBLIC QUESTIONS

None.

BOARD QUESTIONS

None.

PROPONENTS

None.

OPPONENTS

None.

BOARD DISCUSSION AND ACTION

Mr. Pankratz wanted it to be known that there was a project narrative, written by the applicant, on the last page of the Agenda Packet.

MOTION: That the Zoning Commission recommend the City Commission approve the Conditional Use Permit as legally described in the Staff Report, and the accompanying Findings of Fact, subject to the Conditions of Approval being fulfilled by the applicants.

Minutes of the May 24, 2022

Planning Advisory Board Meeting

Page 5

Made by: Mr. Pankratz

Second: Mr. Mills

VOTE: All in favor, the motion carried 4-0

COMMUNICATIONS

None.

PUBLIC COMMENT

None.

ADJOURNMENT

There being no further business, Chair Bertelsen adjourned the meeting at 3:16 p.m.

CHAIRMAN

SECRETARY



Meeting Date: 06/14/2022

CITY OF GREAT FALLS
PLANNING ADVISORY BOARD / ZONING COMMISSION AGENDA REPORT

Item: First United Methodist Church "Emergency Shelter" Conditional Use Permit at 610, 618 & 622 2nd Ave N, Great Falls, MT.

Initiated By: Rev. Jeff Wakeley, First United Methodist Church

Presented By: Craig Raymond, Director, Planning & Community Development

Action Requested: Conduct public hearing and vote on recommendation to the City Commission

Public Hearing:

1. Chairman of the Commission conducts public hearing, pursuant to OCCGF 1.2.050 and Title 17, Chapter 16, Article 6.
2. Chairman of the Commission closes public hearing and asks the will of the Board.

Suggested Motion:

1. Commission Member moves:

“I move that the Zoning Commission recommend the City Commission (approve/deny) the Conditional Use Permit as described in the Application and Staff Report, and the accompanying Basis of Decision/Findings of Fact”

2. Chairman calls for a second, commission discussion, and calls for the vote.
-

Background: At some point in 2021, the First United Methodist Church (FUMC) began using their property to provide meal service and as a location for offering rest and refuge to persons in need. At some point after that, FUMC began making the property on which its church is located, available to homeless individuals to use as a campground facility for them to stay and camp on the property. Throughout the early part of 2022, the City has received complaints from businesses, City residents, and Neighborhood Councils regarding the activities taking place on the property. The complaints included allegations of drug use, harassment of passers-by, assaults and other inappropriate behaviors by individuals residing on the property. City staff began investigating the nature of the property use relative to the City’s applicable land use regulations and whether there were potential grounds for violations of the City’s public nuisance ordinances.

As part of that process, the City advised FUMC that, although its use of its property as a church is a permitted land use within the zoning district where it is located, any use of its property for an “Emergency Shelter” required a Conditional Use Permit (CUP). An “Emergency Shelter” land use is defined by the City’s zoning ordinance as “a place and/or building, or portion thereof that is used to

provide temporary housing and ancillary services to primarily indigent, needy, homeless, or transient individuals.” After being advised of the CUP requirement for any “Emergency Shelter” land use on its property, FUMC has formally filed an application for a CUP to operate an Emergency Shelter on its property.

Conditional Use Permit Request: FUMC has now submitted a *Land Use Application* form seeking a CUP for what they’ve identified as a “Homeless Ministry” to be conducted at the FUMC property located at 610, 618 & 622 2nd Ave N. The specifics of the proposal, taken directly from the applicant’s statement, are as follows:

1. The Monday through Friday daily distribution of lunch bags
2. A regular Tuesday evening community meal in our Fellowship Hall from 5:00 until 6:00
3. Monday through Friday access to entering the church from 10:00 AM – 12:00 PM to get lunch, to sit or use the bathrooms, from 10:00 AM – 12:00 PM
4. Use of a Porta-Potty in the parking lot for people living on the streets to use when the church building is closed
5. Allowing persons living on the street to gather on the property to socialize with the condition that they do not drink or use drugs. People who drink are told to leave the property. Persistent offenders can and have been permanently criminally trespassed.
6. Allowing people living on the street to sleep on the property overnight including allowing people to set up tents on the property. They can sleep on the property as long as they don’t drink and are not causing a public disturbance. They are also required to clean up after themselves. We are presently directing people to sleep on the East side of the church in and near the parking lot

Our Future Plans:

1. Working with a non-profit agency to create and manage a temporary encampment for those living on the streets on the unpaved section of the church’s parking lot. The encampment would contain up to 10 tents along with space for people to set up their own tents. The encampment would be fenced off and monitored for safety. The Church is working with the Ad-hoc group that has been meeting to address the issue of homelessness since January of this year (2022) They are in the process of incorporation to become a 501 C-3
2. Creation of a Walk-In Center inside the Church for persons to gather and socialize during the day and receive help. The Walk-In Center would be similar to St. Vincent DePaul’s Angel Room which is open Sunday through Wednesday. Ours would be open Thursday and Friday. The Center would include a daily meal. The kitchen will have to be remodeled and brought up to standard health department codes.
3. Working with Law Enforcement in coming up with solutions to address the problems of those persons who habitually break our rules and the city ordinance about public drinking and creating a public disturbance on our property.

The application also contains a drawing showing the proposed location for a single porta-potty and multiple tents and tent sites (approximately 20) along the east side of the church parking lot, as well as chain-link fencing around the perimeter of the camping site. (See attached Land Use Application)

The basis for a decision for a Conditional Use Permit application is listed in OCCGF §17.16.36.040. The Zoning Commission's recommendation and the City Commission's decision to approve, conditionally approve, or deny an application shall be based on whether the application, staff report, public hearing process, and any additional information demonstrates that each of the criteria set forth in the basis of

decision ordinance have been satisfied. A proposed Basis of Decision/ Findings of Fact - Conditional Use document as prepared by staff is attached for the Commission's consideration.

Neighborhood Council Input: The FUMC Emergency Shelter CUP application will be presented to Neighborhood Council #7 on June 13, 2022. As of the date of this agenda report, no specific input has been received. Any specific information that may be developed at the Neighborhood Council # 7 meeting on June 13th will be presented to the Zoning Commission verbally at its meeting on June 14, 2022.

Concurrences: All City departments were solicited for comment on the proposal. P&CD staff worked closely with the Police Department, Legal Department and the City Manager's Office throughout the processing of this application.

Fiscal Impact: The land use activities presently occurring on the FUMC property have created at least some degree of strain on Police Department and Municipal Court resources which in turn creates additional burden on the city budget. Although the CUP application makes reference to working with law enforcement "in coming up with solutions" to address those problems, the application contains no specific management plans or policies for addressing this issue.

Staff Recommendation: Staff recommends denial of the CUP request. While staff acknowledges that the homeless situation in Great Falls is serious and should be addressed, the specific proposal that FUMC has submitted both (1) contemplates a form of land use (i.e., a Campground land use) that is simply not permitted in the zoning district and (2) fails to include any specific proposals to address the negative impacts of even a permissible form of Emergency Shelter operation on the surrounding community. It has been demonstrated in Great Falls that Emergency Shelters can be successfully operated in the zoning district in which FUMC's church facility is located and can be successfully managed in order to mitigate the impacts that seem inherent when serving populations that often times have addiction and/or mental health issues. However, those Emergency Shelters are operated in and utilize buildings as the "shelter" structure (which FUMC is not proposing here) and the active management utilized by those other shelter operations not only provides a higher level of security for the occupants themselves but also encourages a higher level of support from the community. The desired outcome of any such Emergency Shelter operation should be to provide appropriate support services to the most needy and vulnerable of our community while inspiring community engagement and inclusion.

Conditions of Approval: If the Zoning Commission proposes to recommend approval of the CUP application and has specific conditions to recommend along with that approval, those recommended conditions must be clearly stated for the record and for consideration by the City Commission

Alternatives: The Zoning Commission may recommend approval or approval with conditions of the CUP application. If there is a decision to support the application, a separate Basis of Decision/Findings of Fact document must be generated with staff assistance in order to support the decision.

Attachments/Exhibits:

Basis of Decision/Findings of Fact
Aerial Map
Zoning Map
Site Photos
Application

CONDITIONAL USE PERMIT - BASIS OF DECISION/FINDINGS OF FACT

The City of Great Falls has been petitioned to approve a Conditional Use Permit to allow for the establishment and construction of an “Emergency Shelter” land use upon the property addressed as 610, 618, 622 2nd Ave N. legally described as Lots 1-6, Block 306, Town of Great Falls, Sec. 12, T20N, R3E, PMM, Cascade County, Montana (subject property). In order to approve the Permit, the Official Code of the City of Great Falls Section 17.16.36.040 requires demonstration that certain stated requirements have been satisfied. Therefore, this Basis of Decision has been prepared to analyze, determine and memorialize satisfaction of the required criteria.

1. The zoning and conditional use is consistent with the City’s Growth Policy and applicable neighborhood plans, if any.

The Growth Policy recognizes that homelessness is a problem that appears to be growing and offers goals and policies that are intended to address the issue in the Social chapter of the plan.

- Soc1.4.1: Work with the private sector and non-profits to increase housing opportunities in the City
- Soc1.4.5: Continue to support the development of accessible housing units for those with physical and mental challenges and special needs, including members of the community with disabilities, etc.
- Soc1.4.9: Continue to ensure that the City promotes equal opportunity housing and access to housing for all residents and is in compliance with Federal and State requirements aimed at preventing housing discrimination.
- Soc1.4.15: Expand transitional housing with supportive services benefitting the homeless and special needs populations in the City.

The proposed conditional use (i.e., “Emergency Shelter” as an element of a homeless ministry) is consistent in a general sense with the above-outlined goals. However, this particular CUP proposal has key attributes that are not consistent with either the City’s zoning standards (i.e., the “campground” structure of the proposed use) or the above-listed Growth Policy goals, i.e., the lack of any clear management planning and/or policies to address issues that seem to be inevitable when purposefully congregating homeless individuals, some of whom suffer from addiction and mental health issues.

- Soc1.1.3: Support community-wide efforts in the City to reduce crime and expand crime prevention, public safety and education efforts, including neighborhood based efforts such as Neighborhood Watch.
- Soc1.1.4: Strategically improve public safety in the Downtown, as well as other city-wide “hotspots” throughout the City.

As also discussed below, the existing unauthorized “Emergency Shelter” land use has resulted in a large volume of complaints regarding the behavior of individuals congregating on the property. The Great Falls Police Department has received a significant number of complaints regarding conduct on the property and has written numerous citations and effected numerous arrests of individuals in connection with the existing unauthorized land use. The CUP proposal contains no specific plans or policies intended to adequately address these issues, and thus is not consistent with the above-referenced Growth Policy goals.

Soc1.4.13: Protect the character, livability and affordability of existing neighborhoods by ensuring that infill development is compatible with existing neighborhoods.

Soc1.6.3: Work with the Neighborhood Councils, residents, property owners and businesses to create individual neighborhood plans as way of addressing needs, and preserving and improving neighborhoods.

An “Emergency Shelter” land use is a conditionally allowed use on the property, so there are circumstances under which – with appropriate structures and conditions in place – a land use of that type could occur in a manner that would be consistent with both the zoning ordinance and the above-referenced neighborhood-related Growth Policy goals. However, this particular CUP proposal - as currently presented - does not contain any clear plan or structure to mitigate any negative impacts from the proposed land use to the surrounding community and deter neighborhood blight. In that respect, the proposal also appear to be antithetical to the goals and policies of the Downtown Master Plan and Downtown Urban Renewal Plan. Those plans are written and adopted specifically to minimize and/or eliminate blight and encourage redevelopment and regeneration of the downtown. As a result, staff finds that the applicant’s request is not consistent with the above-listed elements of the City’s Growth Policy.

2. *The establishment, maintenance or operation of the zoning and conditional use will not be detrimental to, or endanger the health, safety, morals, comfort or general welfare.*

As has already been demonstrated by the existing illegal “campground” land use, the CUP proposal (which contemplates a continuation of that illegal “campground” land use) is likely to have a significant detrimental effect on the health, safety, morals, comfort and general welfare of the surrounding community and the occupants of the shelter itself.

Since the Applicant first undertook its efforts to use its property for the provision of services and space to homeless community, City staff have observed and have received numerous complaints regarding unsanitary conditions due to persons urinating and defecating outdoors and on City rights of way and complaints that citizens are being harassed and/or intimidated by occupants of the property. Great Falls Police Dept has received approximately 95 calls for service this year to date (92 total last year) and have written 46 citations this year to date (77 total last year) and made 15 arrests this year to date (6 total last year). The CUP proposal, as presented, does not contain any management plan or structure to adequately address and mitigate/eliminate any of those problems. Rather, it seems to assume an even greater reliance on local law enforcement, emergency services, and others apart from the Applicant to manage and resolve problems on the property.

3. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.*

Based on the numerous complaints that have been directed to the City to date, there is no question but that the surrounding neighborhood is experiencing diminished enjoyment of property. Although the CUP proposal indicates that the “campground” land use structure would be “fenced off and monitored for safety”, the use of a fence to screen an otherwise illegal land use form is not a viable proposal. Similarly, the CUP proposal contains no specific description of management plans and/or policies that would ensure that physical and behavioral impacts

of even a permissible “emergency shelter” land use would be contained on the subject property. Staff finds that the applicant’s request has the potential to substantially diminish and impair values of nearby properties in the downtown area. Staff finds that the Applicant’s request has the potential to substantially diminish and impair values of nearby properties in the downtown neighborhood.

4. *The conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.*

The proposed use as submitted would have a chilling effect on the development or redevelopment of surrounding properties.

5. *Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.*

Adequate municipal services and infrastructure are available to serve both the existing use/facility (a church) and a conditionally-permitted “emergency shelter” use that might be made of the church facility. Full sidewalks, water, sewer and paved roads already exist adjacent to the subject parcel. The CUP proposal as current presented, however, does not contemplate utilizing the church facility itself as the emergency shelter. Rather, it contemplates an illegal “campground” land use with a single “porta-potty” for use when the church building is not available for bathroom services. Porta-potties are not adequate and appropriate for any permanent use as proposed.

6. *Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.*

A proposed use of the church facility itself for a conditionally-permitted emergency shelter land use would not likely generate appreciable additional traffic. Ingress and egress appears to be adequate for the existing church use and a conditionally-permitted emergency shelter land use of the church facility.

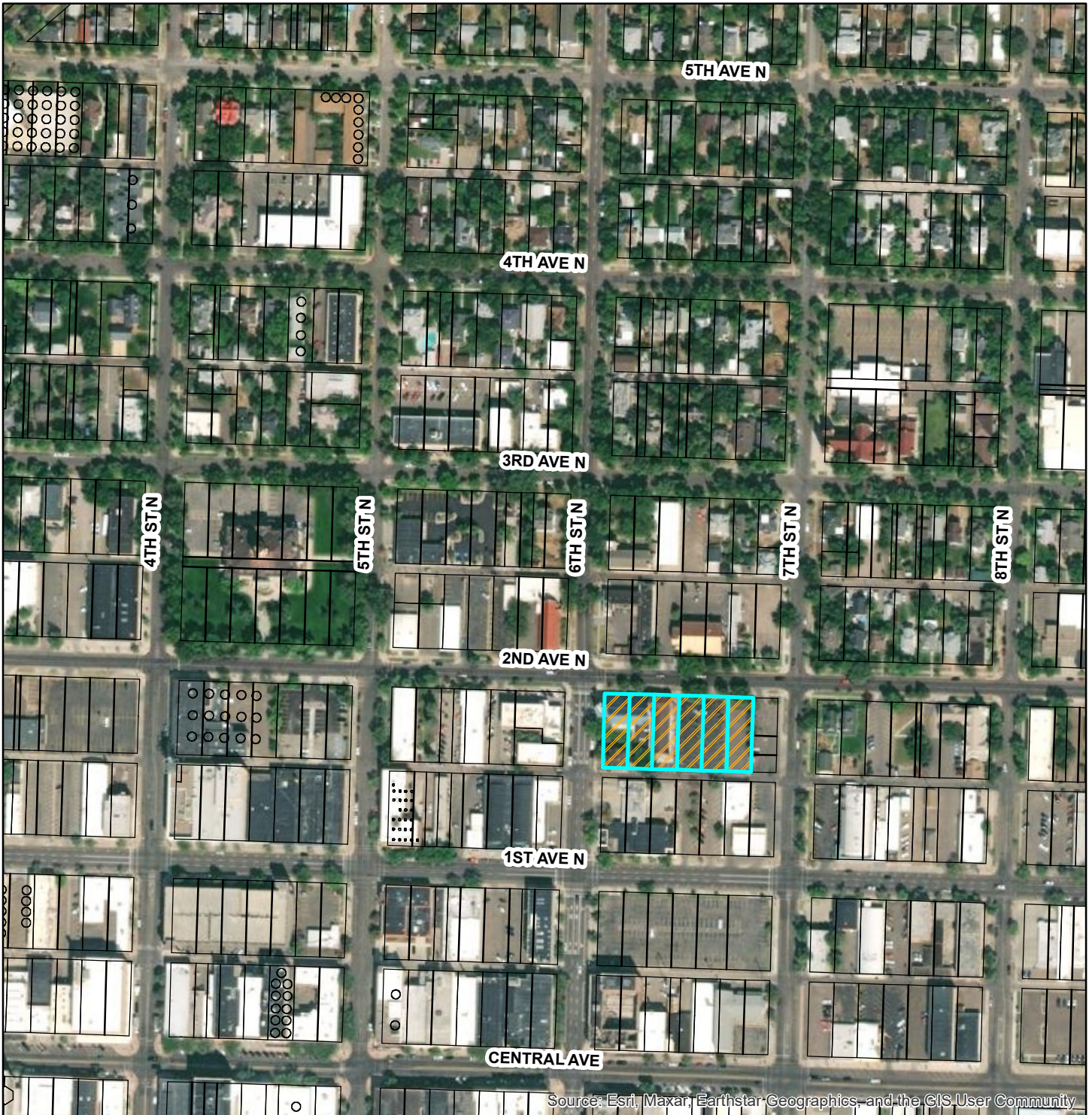
7. *The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the City Commission.*


The proposed use does not conform to existing land use regulations for the C-4 zoning district in that the proposed use takes the form of a “campground” land use. The definition of “campground” is:

"Campground" means a place and/or building, or portion thereof, that is used or is intended for public camping, where people can camp, secure tents or cabins, or park trailers, camping trailers, pickup campers, automobiles, and recreational vehicles for camping and sleeping purposes. The term includes accessory buildings such as a laundromat and retail sales for the convenience of campground guests.

A “campground” land use is not permitted either by right or even conditionally in the C-4 zoning district. As a basic principle of zoning law, the conditional use process cannot be used to authorize a land use form that is otherwise prohibited or forbidden the applicable zoning ordinance.


EXHIBIT A



 Subject Property

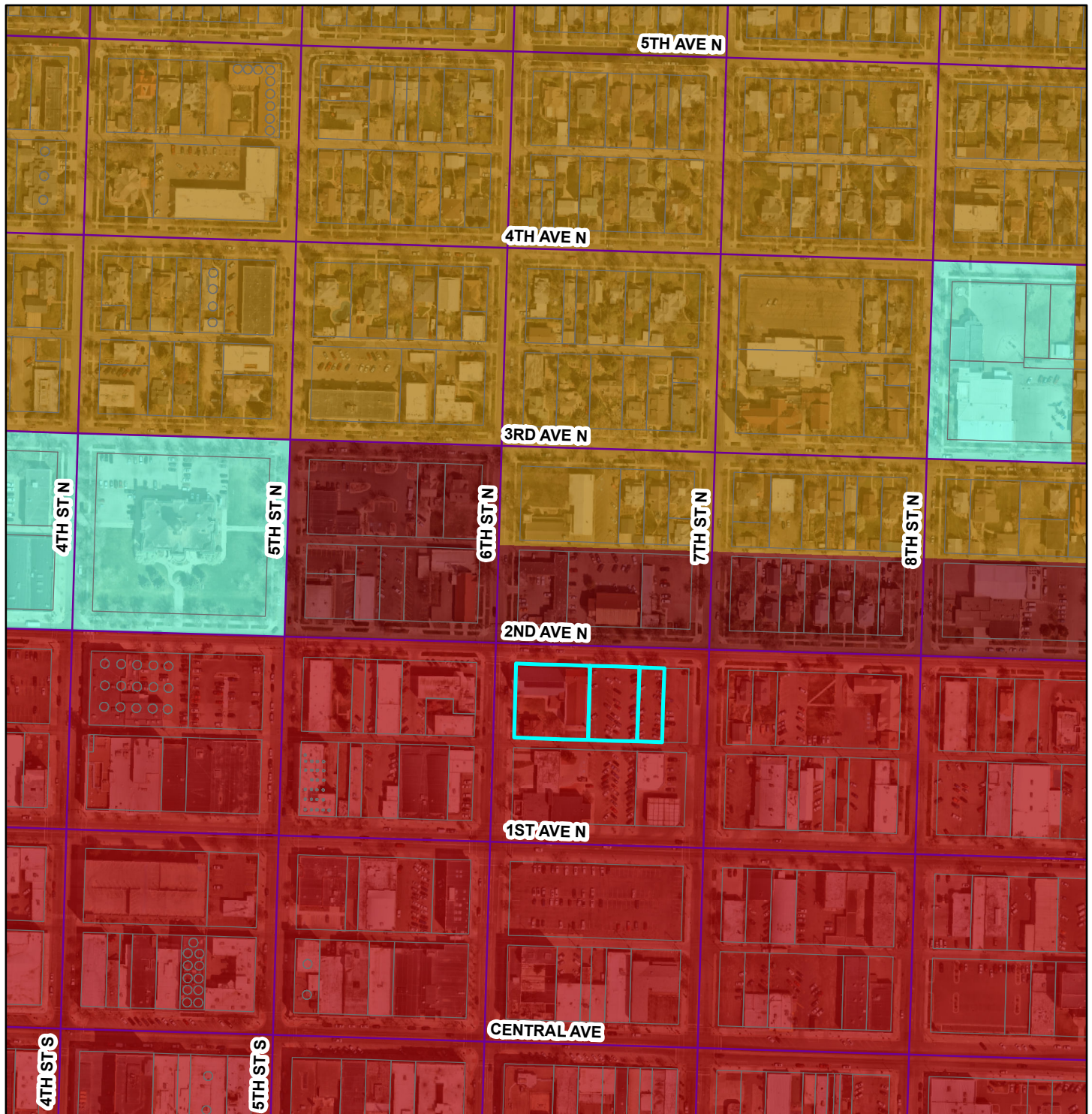
 City Limits

320 160 0 320 Feet






ZONING MAP

Agenda #5.



Legend

-  R-9 Mixed Residential
-  C-4 Central Business Core
-  C-5 Central Business Periphery
-  PLI Public Lands and Institutional

320 160 0 320 Feet



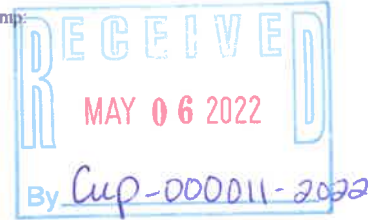






CITY OF GREAT FALLS
 PLANNING & COMMUNITY DEVELOPMENT DEPT.
 P.O. BOX 5021, GREAT FALLS, MT. 59403 5021
 406.455.8430 • WWW.GREATFALLSMT.NET

Date Stamp:



LAND USE APPLICATION

Homeless Ministry

Name of Project (If applicable):

610 Second Avenue North, Great Falls, Montana

Project Address:

First United Methodist Church

Applicant/Owner Name:

P.O. Box 1444, Great Falls, Montana 59401

Mailing Address:

406/459-3114

Phone:

churchoffice@umcgreatfalls.org

Email:

Reverend Jeff Wakeley

Representative Name:

719-427-0269

Phone:

jeffwakeley@gmail.com

Email:

- ☐ Annexation by Petition: \$500
- ☐ Preliminary Plat, Major: \$1,500 + \$50/lot
- ☐ Final Plat, Major: \$1,500 + \$25/lot
- ☐ Minor Subdivision: \$1,250
- ☐ Zoning Map Amendment: \$2,000
- ☒ Conditional Use Permit: \$1,500
- ☐ Planned Unit Development: \$2,000
- ☐ Amended Plat, Non-administrative: \$1,000

LEGAL DESCRIPTION:

Lot/Block/Subdivision:

Section/Township/Range:

ZONING (ZONING MAP AMENDMENT ONLY):

LAND USE (CONDITIONAL USE ONLY):

Current:

Proposed:

Current:

Proposed:

I (We), the undersigned, understand that the filing fee accompanying this application is not refundable. I (We) further understand that the fee pays for the cost of processing, and the fee does not constitute a payment for approval of the application. I (We) further understand that public hearing notice requirements and associated costs for land development projects are my (our) responsibility. I (We) further understand that other fees may be applicable per City Ordinances. I (We) also attest that the above information is true and correct to the best of my (our) knowledge.

Applicant/Owner's Signature:

Date:

Representative's Signature:

Date:

Effective Date: 5/2019

First United Methodist Church of Great Falls, MT
Outline of Present and Planned Ministry to the Homeless

The First United Methodist Church of Great Falls purpose and mission is to minister on behalf of Jesus Christ to the people living and working in the community of downtown Great Falls, regardless of their beliefs, sexual orientation, ethnicity, social and economic status. People who are houseless and living on the streets are one group who especially need our help and ministry. While some choose to live on the streets. Many live on the streets because of mental illness or economic hardship and lack of affordable housing. We recognize that in the ministering to the people living on the streets that there are those whose primary purpose for coming to the church is to drink and cause who do gather at the church for the purpose of drinking and causing a public disturbance. Much of what we are experiencing today with people living on the streets is due in part to the ongoing effects of the Pandemic.

Our present ministry to people living on the streets includes the following:

1. The Monday through Friday daily distribution of lunch bags.
2. A regular Tuesday Evening Community meal in our Fellowship Hall from 5:00 until 6.
3. Monday through Friday access to entering the church from 10 a.m.- 12 noon to get lunch, to sit or use the bathrooms, from 10:00 am - 12 noon.
4. Use of Porta-Potty in the parking lot for people living on the streets to use when the church building is closed.
5. Allowing persons living on the street to gather on the property to socialize with the condition that they do not drink or use drugs. People who drink are told to leave the property, Persistent offenders can and have been permanently criminally trespassed.
6. Allowing people living on the street to sleep on the property overnight including allowing people to set up tents on the property. They can sleep on the property as long as they don't drink and are not causing a public disturbance. They are also required to clean up after themselves. We are presently directing people to sleep on the East side of the church in and near the parking lot.

Our Future Plans:

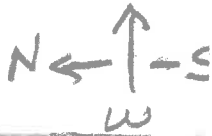
1. Working with a non-profit agency to create and manage a temporary encampment for those living on the streets on the unpaved section of the church's parking lot. The encampment would contain up to 10 tents along with space for people to set up their own tents. The encampment would be a ministry of the church but managed by a non-profit group. The encampment would be fenced off and monitored for safety. The Church is working with the Ad-hoc group that has been meeting to address the issue of homelessness since January of this year. They are in the process of incorporation to become a 501C-3.
2. Creation of a Walk-In Center inside the Church for persons to gather and socialize during the day and receive help. The Walk-In center would be similar to St. Vincent

DePaul's Angel Room which is open Sun through Wednesday. Ours would be open Thursday and Friday. The Center would include a daily meal. The kitchen will have to be remodeled and brought up to standard health department codes.

3. Working with Law Enforcement in coming up with solutions to address the problems of those persons who habitually break our rules and the city ordinances about public drinking and creating a public disturbance on our property.

+++ CHAIN LINK FENCE AROUND PERIMETER

SEVENTH STREET NORTH



TENTS
SITES FOR TENTS

ZIP TRIP PARKING LOT

SECOND AVENUE NORTH

SIDE WALK

FENCE

(PAVED)

ALLEY

WINDO WELL

FIRST UNITED METHODIST BUILDING

Jamie Nygard

From: Lisa C. Kunz
Sent: Tuesday, June 7, 2022 11:27 AM
To: Jamie Nygard
Subject: FW: CUP 1st Methodist Church

FYI for PAB/ZC meeting.

Lisa

From: Lisa C. Kunz
Sent: Monday, June 6, 2022 8:52 AM
To: 'Tim Brubaker' <carol1326@yahoo.com>
Subject: RE: CUP 1st Methodist Church

Good Morning Carol – Thank you for your comments.

Your comments will be shared with the City Commission and appropriate staff for consideration during Petitions and Communications, Agenda Item 2, on tomorrow evening's City Commission agenda. The church's application for a CUP is not currently on a Commission agenda for consideration. For clarification, here is a link to a recent press release <https://greatfallsmt.net/citymanager/first-united-methodist-church-homeless-encampment>.

Best regards,

Lisa Kunz

City Clerk/Records Manager
 Civic Center Room 204
 406.455.8451

From: Tim Brubaker <carol1326@yahoo.com>
Sent: Saturday, June 4, 2022 3:48 PM
To: commission <commission@greatfallsmt.net>
Subject: CUP 1st Methodist Church

Dear City Commissioners and Mayor

I am a citizen of Great Falls, Mt. I was born here.

I am requesting that you DO NOT approve the CUP (Conditional Use Permit) that 1st Methodist Church has requested.

The city of Great Falls keeps wanting to expand its tax base by attracting new businesses to our great city. But if Great Falls expands it's vagrant population you are not going to attract the new businesses you want. You can't have both.

I have personally talked to GF police personnel and they assured me the situation at the church is not a homeless problem....these people just want to "hang out" and "have a good time" aka drugs & alcohol.

Warmer weather is coming and this situation is going to get worse. We .. YOU.. need to stop it before it becomes out of control like L.A., San Francisco, Portland, Or., and Seattle.

Thank you.

Sincerely,
 Carol Robinson

[Sent from Yahoo Mail on Android](#)

Jamie Nygard

From: Lisa C. Kunz
Sent: Tuesday, June 7, 2022 11:26 AM
To: Jamie Nygard
Subject: FW: [All City Commissioners] Tent city rezone.

FYI for PAB/ZC meeting.

Lisa

From: Lisa C. Kunz
Sent: Monday, June 6, 2022 8:39 AM
To: 'marilynch@bresnan.net' <marilynch@bresnan.net>
Subject: RE: [All City Commissioners] Tent city rezone.

Good Morning Marilyn –

Thank you for your comments for Commission/staff consideration during Petitions and Communications, Agenda Item 2, on tomorrow evening's City Commission agenda.

For clarification, here is a link to a recent press release pertaining to the First United Methodist Church Homeless Encampment: <https://greatfallsmt.net/citymanager/first-united-methodist-church-homeless-encampment>, and a portion of the draft minutes of the last Commission meeting wherein Manager Doyon provided an update on the church situation: The First United Methodist Church has filed an application for a Conditional Use Permit (CUP) to operate an emergency shelter on its property. The process will require public hearings with the Planning Advisory Board and the City Commission. A formal "Notice of Violation" has been issued to the Church regarding the presence of tents and camping activity on the property in violation of the zoning code. The City will also be commencing a nuisance complaint process based on the level of complaints the City is receiving about the church property.

You can sign up to receive email notifications when agendas are posted for the Planning Advisory Board and the City Commission: <https://greatfallsmt.net/newsletter/subscriptions>. Meetings are aired on cable channel 190 and live streamed on the internet: <https://greatfallsmt.net/livestream>. Recordings of the meetings are also posted on the City's website: <https://greatfallsmt.net/meetings>.

Best regards,

Lisa Kunz

City Clerk/Records Manager
 Civic Center Room 204
 406.455.8451

From: City of Great Falls Montana <webmaster@greatfallsmt.net>
Sent: Sunday, June 5, 2022 5:23 PM
To: City Commissioners <CityCommissioners@greatfallsmt.net>
Subject: [All City Commissioners] Tent city rezone.

Marilyn Christman (marilynch@bresnan.net) sent a message using the contact form at <https://greatfallsmt.net/>.

I heard you are considering rezoning the Methodist church so they can have the tent city. Wow I need to say I am very opposed. Please consider children in the neighborhood, home owners, business owners with more weight than the church. We do not want to become another San Francisco, Seattle, or Portland where crime, rape human trafficking, cartel and drugs and more beco.e out of control. I cannot make your meeting please use this email as if I were there. I don't know why you would even consider this a topic. How about making communities better for locally owned businesses. Let's bus these people in the tent city to Washington DC doorstep.

Jamie Nygard

From: Lisa C. Kunz
Sent: Tuesday, June 7, 2022 11:28 AM
To: Jamie Nygard
Subject: FW: CUP 1st Methodist Church, I agree with this letter by Carol Robinson. My name is Karen Czech I am a citizen of Gt Falls Mt, thank you!

FYI for PAB/ZC meeting.

Lisa

-----Original Message-----

From: Lisa C. Kunz
Sent: Monday, June 6, 2022 2:09 PM
To: 'Richard Czech' <rnkczech@gmail.com>
Subject: RE: CUP 1st Methodist Church, I agree with this letter by Carol Robinson. My name is Karen Czech I am a citizen of Gt Falls Mt, thank you!

Hi Karen – Thank you for your comments.

Your comments will be shared with the City Commission and appropriate staff for consideration during Petitions and Communications, Agenda Item 2, on tomorrow evening's City Commission agenda.

As I explained to Carol, the church's application for a CUP is not currently on a Commission agenda for consideration. For clarification, here is a link to a recent press release <https://greatfallsmt.net/citymanager/first-united-methodist-church-homeless-encampment>.

Best regards,

Lisa Kunz
 City Clerk/Records Manager
 Civic Center Room 204
 406.455.8451

-----Original Message-----

From: Richard Czech <rnkczech@gmail.com>
Sent: Monday, June 6, 2022 10:38 AM
To: commission <commission@greatfallsmt.net>
Subject: CUP 1st Methodist Church, I agree with this letter by Carol Robinson. My name is Karen Czech I am a citizen of Gt Falls Mt, thank you!

Dear City Commissioners and Mayor

I am a citizen of Great Falls, Mt. I was born here.

I am requesting that you DO NOT approve the CUP (Conditional Use Permit) that 1st Methodist Church has requested.

The city of Great Falls keeps wanting to expand its tax base by attracting new businesses to our great city.

But if Great Falls expands it's vagrant population you are not going to attract the new businesses you want.

You can't have both.

I have personally talked to GF police personnel and they assured me the situation at the church is not a homeless problem....these people just want to "hang out" and "have a good time" aka drugs & alcohol.

Warmer weather is coming and this situation is going to get worse. We .. YOU.. need to stop it before it becomes out of control like L.A., San Francisco, Portland, Or., and Seattle.

Thank you.

Sincerely,

Carol Robinson

Sent from my iPhone

Jamie Nygard

From: Lisa C. Kunz
Sent: Tuesday, June 7, 2022 11:30 AM
To: Jamie Nygard
Subject: FW: Church Problem w/homeless

FYI for PAB/ZC meeting.

Lisa

From: Lisa C. Kunz
Sent: Tuesday, June 7, 2022 11:19 AM
To: 'sldurkin@bresnan.net' <sldurkin@bresnan.net>
Subject: RE: Church Problem w/homeless

Good Morning Steve – Thank you for your comments. Your comments will be shared with the City Commission and appropriate staff for consideration.

The First United Methodist Church's application for a Conditional Use Permit (CUP) is not currently on a Commission agenda for consideration. For clarification, here is a link to a recent press release
<https://greatfallsmt.net/citymanager/first-united-methodist-church-homeless-encampment>.

As set forth in the press release, the Church's application for a CUP will first go before the Planning Advisory Board/Zoning Commission. If you cannot attend in person, public comments can be submitted to the Planning Advisory Board/Zoning Commission. The deadline for written comments will be set forth on the Board's agenda.

You can sign up to receive email notifications when agendas are posted for the Planning Advisory Board/Zoning Commission and the City Commission: <https://greatfallsmt.net/newsletter/subscriptions>. Meetings are aired on cable channel 190 and live streamed on the internet: <https://greatfallsmt.net/livestream>. Recordings of the meetings are also posted on the City's website: <https://greatfallsmt.net/meetings>.

It is anticipated the recommendation of the Planning Advisory Board/Zoning Commission will be on the City Commission's July 19th agenda for consideration.

Lisa Kunz

City Clerk/Records Manager
 Civic Center Room 204
 406.455.8451

From: sldurkin@bresnan.net <sldurkin@bresnan.net>
Sent: Tuesday, June 7, 2022 10:57 AM
To: commission <commission@greatfallsmt.net>
Subject: FW: Church Problem w/homeless

OOps I forgot to attach my name to this letter
 Steve Durkin
 1101 23rd ave SW

GF Mt

From: sldurkin@bresnan.net
To: "commission@greatfallsmt.net"
Cc:
Sent: Tuesday June 7 2022 10:55:13AM
Subject: Church Problem w/homeless

Please do not rezone the Methodist church downtown to benefit the homeless incampment that has taken over their property. If you rezone this one you will be rezoning more of these properties around town, it's a slippery slope and you'll be opening up a can of worms. Our town deserves so much better than this. Please do not make Great Falls a smaller version of Seattle or San Francisco!

June 7, 2022

To: Great Falls Zoning Commission

From: Rebecca Lozano, 700 2nd Ave N, Great Falls, MT. 59401

Re: Conditional Use Permit for "Emergency Shelter" in the parking lot of the United Methodist Church (610, 618, and 622 2nd Ave N) Lots 1-6, Block 306, Great Falls Original Townsite.

In opposition to the above request set forth by Rev. Jeff Wakeley:

It is my understanding, after reading the Great Falls Mt Code of Ordinances section 17.16.36.040; that there are severn criteria that must be satisfied in order for a CUP (Conditional Use Permit) to be allowed. My concerns and opinions are as follows:

#2 The establishment, maintenance, or operation of the conditional use will not be detrimental to, or endanger the public health, safety, morals, comfort to general welfare.

#3 The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

#5 Adequate utilities, access rods, drainage and/or necessary facilities have been or are being provided.

I live directly across from the United Methodist Church with their parking lot in view from my kitchen, dinning room and back porch. Probably no home in the area has had a greater impact from the growing " Tent City" than mine. It is very depressing to be affected by the fall out from this growing transient community. Some of the negative impact on myself and my home are as follows:

Trash, lots of trash that is either left or blows into my yard daily.

Increase in people coming over and sitting on my wall or lawn and partying, so often that I had to finally put a "no Trespass" on my property with the City Police Department .

Drinking alcohol and smoking on my property.

Ambulances, Firetrucks and police cars over at the encampment 3-5 times a week, often twice a day.

Witnessed fights(last one 6/6/22 int the street at approx. 2230 hours) and loud arguments, foul language carry over to my home and is unsettling if I am outside trying to enjoy my backyard to cleaning up my side and front yards.

Witness to camp folks using the bushes to urinate

Having to look at a Port-a-Potty from my dinning room windows, side porch.

Having to call the fire department when a fire that had been started in the encampment got out of hand and ashes where blowing into my yard. I had fear of my roof catching fire. There was also an explosion that took place when someone blew something up in one of the grills.

Other concerns: Health Risks/Unsanitary Conditions:

There is one Port-a-Potty for the whole encampment. I have actually seen two persons go in at the same time, man and women. It is unsightly to say the least and not something one would expect to have to view from their home .

Since there is no running water, this presents a very real health hazard. There are also no facilities for showering or cleaning clothes, clean drinking water, etc. It's not a KOA, it's a tent city with all the inherent health risks.

Soliciting for money by the folks in the camp is common. My grandson's Boy Scout troop had to move from having their meeting at the Church because of harassment by the folks living in the camp, both towards the kids and toward parents waiting in their cars.

There are dogs on the encampment that are always off lease.

Devalued Property:

Having the Tent City across the street to my house has the potential to greatly devalue my property and make it less desirable to potential buyers . As a local real estate agent put it :

"It can have significant impact to property values all around that area. It is a new thing for our area, so for now it will be reflected in buyer response. That is going to be reflected with time on market and amount the buyers are willing to pay/not pay to live next to that type of environment. The more public t gets will also have a negative affect on all the property values in the area"

The "Tent City" is growing day by day. Over the winter there were two tents and some make shift lean-tos against the church wall. Now there are 15+ tents (including a large six man tent), a trailer and a camper/RV in the parking lot. One Port-a-Potty and more tents and lean-tos against the church wall. The tents were first along the grassed area but now are onto the asphalt .

An observation:

Many who have arrived since Spring are not homeless, they are Itinerants Shelters in town are not full from what I have heard, but many of the camp folks do not want to go to a shelter because they have to follow rules, like not drinking alcohol, smoking rules and no drugs. Also the shelters do not take or allow animals, so any companion animals have to go to the Animal Shelter if a person goes into one of the local Shelters.

For all of the above reasons, I sincerely hope the CUP is not allowed. It solves nothing and will only cause more problems for the Downtown Area and those of us who have chosen to live here.

Sincerely,

Rebecca L. Lozano
700 2nd Ave N
Great Falls, MT.