



Lake County, Montana 2018 Growth Policy

AUGUST 21, 2018

*BUILDING A COMMUNITY
OF COMMUNITIES*

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A special thanks to all of the dedicated residents of Lake County who contributed to this growth policy in their free time by participating in public meetings, submitting comments, filling out surveys and questionnaires, answering our questions, and giving information and photos. Your time, efforts and ideas are very much appreciated and reflected in this plan. We would also like to thank local newspapers and radio stations who published articles and interviews on the growth policy rewrite and kept the public informed.

Map 1 – Aerial Image of Lake County



A Glance From Afar

The preceding Map 1, being an aerial image of Lake County, is simply a stripped-away, or “naked” view of Lake County during a recent summer, when fields were green, and snow had retreated to only the highest mountains. As seen in this image, Lake County’s diversity is immediately apparent from afar. What do you see? What would an uninformed viewer see knowing nothing else of Lake County? The most prominent features include a big lake and many other water bodies, snow-capped mountains, green forests, irrigated farmland, dry grasslands, and immense open space, with many of these features divided up like a checkerboard.

These major features seen from afar provide a simple but insightful picture; those who know Lake County know that these features form the backbone of the county. They shape who we are and what the county has been and will become decades from now.

Flathead Lake is the main namesake of the county and represents a recreational destination and highly sought-after residential area and world class orchard and vineyard area that have contributed to the economic base and quality of life.

The other lakes also contribute to the county’s namesake and have unique recreational opportunities that boost the local economy and lifestyle. Because of their beauty and clean, clear water, all of the lakes and streams that support them have resulted in development pressure over the years.

The Mission and Swan Mountains add tremendous scenery to the county, as well as wildlife habitat, open space, and recreational opportunities. They are home to wilderness areas managed by the federal government and the Confederated Salish & Kootenai Tribes. Tribal management of the Mission Mountains Tribal Wilderness Area as wilderness results in a truly unique and perhaps the most truly “wild” area in the lower 48 states. The Bob Marshall Wilderness Complex begins on the east side of the

Swan Range and Lake County forms the western gateway to this huge wilderness area.

The forests are in all forms of ownership and management regimes, from private land and large conservation easements to Tribal wilderness areas and United States Forest Service forests.

With irrigated farmland that is part of an extensive, 100-year-old irrigation project to vast, seemingly endless miles of open grasslands, the Mission Valley is home to quaint small towns and extensive agricultural resources. With small vegetable farms and fruit orchards ranging to large cattle ranches and potato farms, all kinds of agricultural producers call our valleys home. At times, this provides a place where not a single person or structure exists as far as the eyes can see, but towering mountains frame the horizon on each side of the.....well, big sky.



The Mission Mountains Up High

This is quintessential Montana. With a deep, layered history and cultures that take lifetimes and generations to begin to understand, Lake County carries complexities that make this document more than just a growth policy. Calling this just another county plan would fail to reveal the true place this is. This is for all of us – yes, this is the county government’s comprehensive plan for the future, but it is also a snapshot in time illustrated by words and figures – it is who we are today, and represents the vision of today’s leaders.

If “diversity” was a place itself instead of being a descriptive term, it would certainly be a place like Lake County. With this growth policy document, that diversity is to be given a fresh start,

“Building a community of communities”

Chapter 1

Introduction



The Mission Mountains' Mount Calowahcan , photo courtesy of CSKT

From the Commissioners

The Commissioners' decision to take on the task of re-writing our County's Growth Policy was relatively easy to make. The existing policy was adopted in 2003 and the accompanying Density Map and Regulations that were written to implement the goals of the Growth Policy were adopted in 2005. Both documents had timelines for review that were never complied with, so a re-write was long overdue.

The actual re-write of the policy proved to be much more challenging. It is important to understand the realities of living in rural Montana, and in particular Lake County. Our County was created in 1923 by the state of Montana and carved out of the existing counties of Flathead and Missoula. Lake County is almost entirely situated within the exterior boundaries of the Flathead Indian Reservation which brings a multitude of jurisdictional issues to the table when writing a Growth Policy. In addition to the jurisdictional issues, the loss of property tax revenue due to land being put in trust is an issue that the County must address in order to survive. In the fall of 2017, the Lake County Treasurer's Office mailed out over 900 delinquent tax notices, evidence that rising tax bills are presenting a significant hardship to many of our landowners.

Equity and fairness for all residents are worthy goals, but difficult to put into practice when governments overlap and the goals and objectives of the various governments are significantly different. When writing goals they must be reasonable, measurable and attainable. This was a lesson learned when the existing growth policy was written with the following Land Use statement included in the Executive Summary: "In order for any land use planning efforts to be truly effective, both the lands under Lake County's jurisdiction and the lands under the Confederated Salish and Kootenai Tribes' jurisdiction must be included and treated equally." This was a reasonable and measurable goal, but has proven to be unattainable. The reality is that lands in fee and lands that are in trust, or owned by CSKT, have not been and cannot be treated equally. The Commissioners and Lake County Planning Department must work towards achieving the goals that are in the best interests of our constituents.

Based on the information above, it was the Commissioners' decision to re-write the growth policy from the County's perspective. We did look at all of the public comments that were generated at the public meetings and those that were provided online. Ultimately, our decision was to write goals and objectives that impact and are important to the land that is under Lake County's jurisdiction. We feel it is important that the County encourage growth of businesses, provide better jobs, improve housing options for all residents, and write land use regulations that are fair and equitable while trying to address the rising cost of property taxes. When making decisions related to land use in the County, the Commissioners are committed to protecting the rights of individual property owners that are under the County's jurisdiction.

Hiding in the background while working on the growth policy was what to do with the Density Map and Regulations. The DMR's have been controversial since adoption in 2005. Trying to accurately gauge the public sentiment for the map and regulations has also proven difficult. Many of the residents who support the DMR's are unaffected because they are not landowners, or live on land that does not fall under the jurisdiction of the



DMR's. Additionally, the real estate market in the County is substantially different now compared to when the regulations were put in place. The creation of new lots has slowed and there are many lots already developed and on the market with no buyers. The present Commissioners believe the documents can still be utilized as an effective planning tool if moved to an advisory status basis and used with other tools already at our disposal.

The purpose of a growth policy is to take a snapshot of present conditions in the County, and then attempt to build a framework for future planning. We hope that this new growth policy will be a valuable tool as Lake County moves into the future.

Board of Lake County Commissioners

Gale Decker, Chairman

Dave Stipe, Member

William D. Barron, Member

Overview of Lake County

Lake County is located in the heart of northwestern Montana between Missoula, western Montana's largest population center and home to the University of Montana, and Glacier National Park. It is home to the municipalities of Polson, Ronan and St. Ignatius as well as many unincorporated communities. Polson is the county seat and largest city, with a population of nearly 5,000 people. Lake County is surrounded by Missoula County to the south and east, Flathead County to the north and east, and Sanders County to the west. See Map 2 for Lake County's location in Montana.

Map 2 - Lake County in Montana



With a land area of 1,490 square miles, Lake County is home to marvelous lakes, valleys and mountain ranges, including publicly-accessible lands that provide a haven for wildlife and outdoor recreation pursuits. Flathead Lake, the largest natural freshwater lake in the western United States, is the most prominent geographic feature of Lake County. Working farms and ranches dominate the rural landscapes of the valley floors and continue to be an important way of life for many county residents. Over two-thirds of the county overlaps with the Flathead Indian Reservation of the Confederated Salish and Kootenai Tribes – see Map 3.

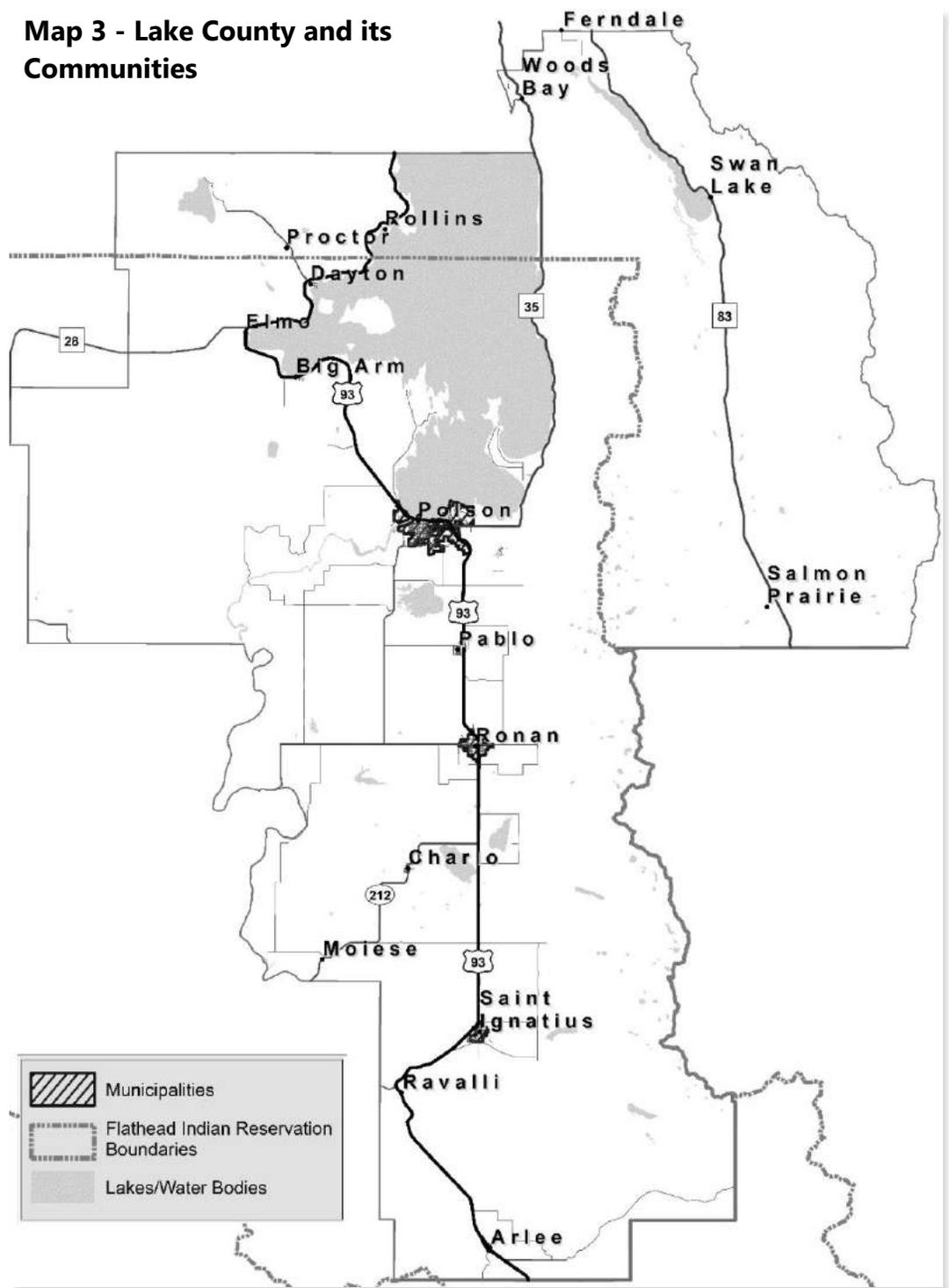
History

The full history of the Lake County area and its people could barely be contained in a book the size of this document, but it is important to give some context to understand how we have arrived where we are today.

Lake County was formed by the Montana Legislature in 1923. Portions of Flathead County and Missoula County were taken from those counties to create Lake County, the 55th of 56 Montana counties. It is a relatively small county for Montana, 46th in size, but it is rather populous compared to other Montana counties, even with less than 30,000 people, ranking 9th of 56 according to the US Census, 2016 estimates.

Like any place, however, the history of this place we call Lake County, Montana extends well prior to its

Map 3 - Lake County and its Communities



official founding 95 years ago. In terms of the growth policy, it is important to understand how the “place” was settled by current inhabitants. The land had been distributed through various public and private means for years prior to the governmental formation of Lake County.

From congressional orders requiring the subdivision of large parts of the shoreline of the south half of

Flathead Lake into Villa Sites, to congressional acts creating townsites where many of today's communities settled, to other developments that mimicked patterns set by the federal government, the new Lake County government inherited a place that had land development patterns pre-established by far off decision makers. Also among our early settlers in the area were white European trappers, traders, explorers, and missionaries. Their influence and contribution to the history of the area is significant and continues to this day.

But those historic decisions in the handful of decades leading up to the formation of Lake County in 1923 still do not describe how these communities came to be.

This "place" is comprised of the Mission and Jocko Valleys, the Mission Mountains, the majority of Flathead Lake and its surrounding shorelines and hills, and much of the north/lower half of the Swan River drainage and the middle, west flank of the Swan Range.

Two-thirds of that place comprising the new "Lake County" had been defined 68 years earlier at a pivotal time in American history in the western United States. That "place" that comprises most of today's Lake County and other portions of the surrounding area had already been a government-defined sovereign nation known as the Flathead Indian Reservation, home of the Bitterroot Salish, Kootenai, and Pend d'Oreilles Tribes, or the Confederated Salish and Kootenai Tribes of the Flathead Nation. Although the place could already be called "home" (or a part of home territory) to these and other American Indian tribes, the area became a federally-declared Indian reservation per the Treaty of Hellgate in 1855. Before that, archeological evidence suggest the American Indians had inhabited the area for more than 14,000 years. Indian inhabitants left less of a trace than white settlement, and Indian tribes had not fractionalized the land for ownership, that being a foreign concept. So while the history of this place did not begin in 1923, the story carries forward from that year Lake County was formed.

With a newly established county government in 1923, Lake County set up shop in Polson. The Mission Valley had been opened to non-native settlement prior to Lake County being formed, and

in the period preceding World War I, congress "encouraged non-Indian settlement of lands within the reservation". Drawn by the promise of productive farms, homesteaders poured steadily into the valley.ⁱ

The basic economy for most of Lake County in its early years was founded on agriculture and the development of the Flathead Indian Irrigation Project and Kerr Dam southwest of Polson. Population fluctuated at times throughout the 20th century, but overall, the county population grew. Recreational activity was recognized in the 1970s as attracting a relatively high number of temporary residents.ⁱⁱ



Crow Reservoir

In the years leading up to the 2003 Lake County Growth Policy, the first growth policy under current Montana statutes, subdivision and development pressure grew as people from around the world sought their own pieces of western Montana. As of 2003, Lake County had a well-established planning program founded on 40 years of modern planning laws and the growth policy responded to the high development pressures of the time. Now we embark on a new phase of Lake County's history, which this document will attempt to address.

This growth policy replaces the 2003 Lake County Growth Policy and the 1993 Polson Master Plan for the county jurisdictional area. Although this document replaces those plans, they should not be discarded and ignored, and should instead be used for historic reference and additional background information as needed.

Who we are and a view down the road

Jurisdictional area

State law for growth policies discusses requirements pertaining to the “jurisdictional area” of the growth policy. Very few places could make this term more difficult to define than here in Lake County. The county asserts no jurisdiction over tribal land, federal land, or within cities and towns. County jurisdiction over state land varies depending on the issue and applicable laws. In general terms, the “jurisdictional area” of the growth policy is the entire county, excluding the lands described above, which include the three municipalities of the City of Polson, City of Ronan, and Town of St. Ignatius (Maps 4, 5 and 6). Simply put, where Lake County has no jurisdiction due to ownership or municipal boundaries, Lake County does not intend to assert jurisdiction, although the land or water may be geographically located within the county.

Municipalities and Communities

Map 3 depicts the main communities in Lake County, as well as Lake County’s three incorporated municipalities: The City of Polson, the City of Ronan, and the Town of St. Ignatius. These municipalities have their own jurisdictional areas, zoning ordinances, and governing bodies, including the Polson City Commission, the Ronan City Council, and St. Ignatius Town Council. All three municipalities also have their own growth policies.

Even though Polson, Ronan, and St. Ignatius have their own jurisdictions, governing bodies, and even growth policies, their significance in Lake County (and in this growth policy) cannot be ignored. These municipalities are employment and economic centers that rural Lake County residents rely upon every day. Likewise, most urban dwellers call Lake County home and use county facilities and resources every day as well. For these and other reasons, the interplay between incorporated areas and the unincorporated, county-jurisdiction and rural areas is always with a strong connection, and that connection is part of the thread of this growth policy.



A trail in the Swan Valley

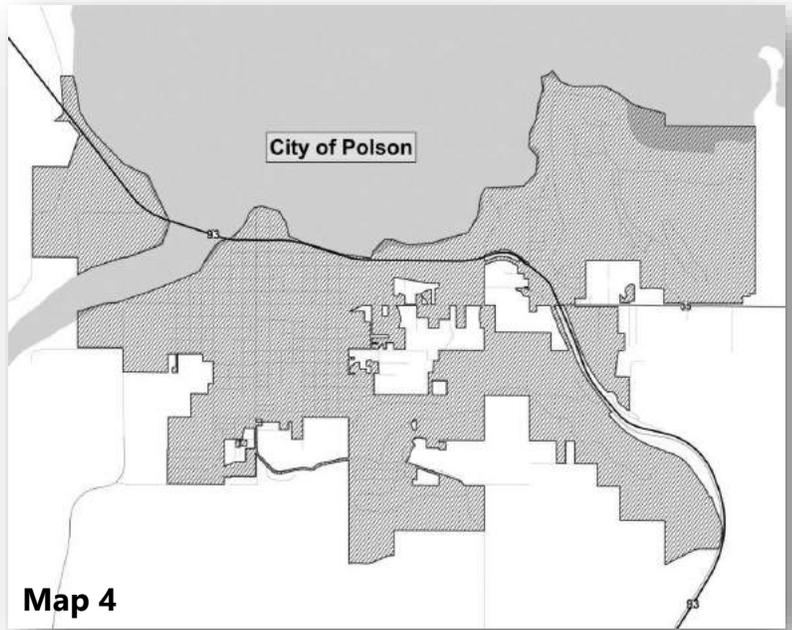
The extent of Lake County’s diversity is not only because most of the county overlaps with an Indian reservation. Rather, the term is applicable in all facets of the county, including the varied communities.

In so many Montana counties, the county seat represents the county itself almost to the point where distinctions between the main city and the county are forgotten. While the county seat of Polson is often viewed as the heart of Lake County, one will rarely see another county like this anywhere with so many small and varied communities scattered throughout.

It is these small communities, and even other places with names not listed or where the road name is the place name, that represent Lake County as much if not more than the cities. Only about 25% of residents within Lake County live within the three municipalities. But even if the population numbers of the six next largest communities or “census designated places” as delineated by the US Census are removed from population counts, the top nine most populous places in Lake County are still home to less than 40% of the county’s total population. Simply put, our people are scattered throughout the county.

This growth policy cannot discuss every community or place in depth. That’s not what is most important. Residents of Mountain View and Rocky Point may consider Polson home,

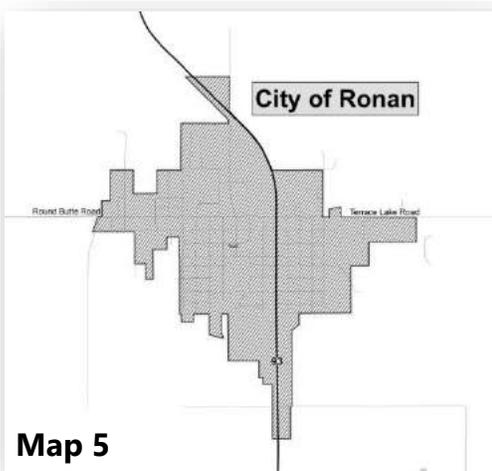
while some may call Lake County home, or even another regional place like “The Jocko” or “The Flathead”. The purpose of this discussion is to explain that Lake County recognizes that all of these places must be considered with creation of a true Lake County Growth Policy. The authors of this



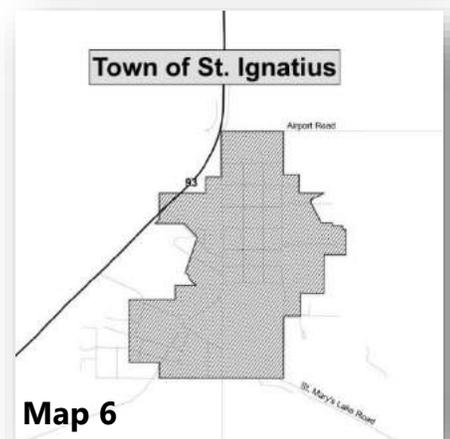
Map 4

document, and the Lake County Commissioners who adopt it, want people from all over the county to know that this document isn’t just based on the vision of a small handful of community leaders from around Polson, or even Ronan and St. Ignatius. This document must reflect Lake County, and Lake County is a long list – people, cultures, communities, perspectives, businesses, farms, churches, bars, lakes, mountains, and forests. The lists could go on and on.

This growth policy is intended to be a baseline document – to include current conditions and a description of where we are – only then can we define where we’re going and how we would like to get there. This growth policy intends to bring the hearts and souls of our various and diverse people and communities into one go-to document, a tool for the next 20 years.



Map 5



Map 6

Chapter 2

Lake County's Vision



Flathead Lake and the Mission Mountains

Lake County can achieve this vision. Today, we need to join together to work toward a fully healthy economy, affordable housing attainable to most; enough great jobs for all, and a county-wide network of people operating in sync with a goal of achieving all within this vision.

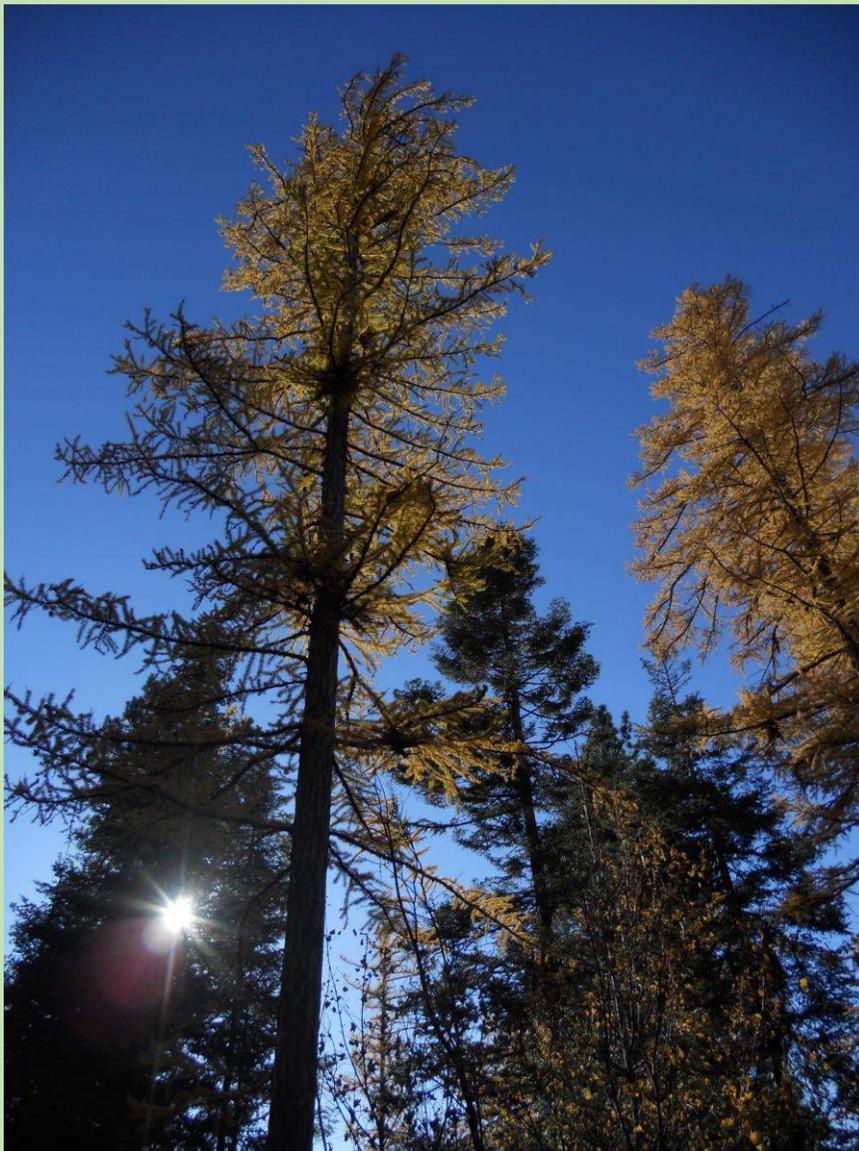
Geographically, Lake County sits between the largest and easily one of the most unique growing cities in the west: Missoula; and possibly the most beautiful place in the continental United States: Glacier National Park. We connect those places with our own brand and lifestyle. Those places are thriving, and we're positioned to be a part of that success while protecting the values that make this place great.



In the Mission Mountains, photo taken from a ridge west of its highest peak, McDonald Peak

Chapter 3

Growth Policy Framework



Western Larches in October, Hellroaring

Condition



Strategy



Community Goal



Objective



Action



Policy



Cooperation



Coordination



Subdivision Policy



What is a Growth Policy?

Stripped down to the basics, a growth policy, or comprehensive plan or general plan, is a non-regulatory document that evaluates key issues that are important to a local government and its citizens. It should attempt to answer the following three questions:

- 1) Where are we today?
- 2) Where do we want to be tomorrow?
- 3) How do we get there?

In Montana, state law coins this type of plan a "growth policy" and outlines specific elements that growth policies are required to include and other items that are discretionary. State law also requires certain local regulations, such as zoning and subdivision regulations, to be made in accordance with the growth policy.

A growth policy typically includes policy statements and an implementation plan that will aid local government leaders in making decisions. It should also give officials general direction and set specific priorities and ways to promote county policies on a day-to-day basis.

This is a baseline document of current conditions, which also sets big-picture goals, pinpoints measurable objectives, and identifies policies that will assist the Lake County Commissioners in making decisions about how to manage county resources.

How is it used?

This growth policy will of course be used to guide land use regulations and decisions and give county personnel direction as discussed above. However, Lake County sees this growth policy not just as a reference that is used by officials to provide a list of lofty goals with ideas on how to achieve them. This growth policy is intended to be Lake County's most important planning tool. It is designed to be results-oriented and focus on actions and timelines to achieve the goals and objectives. It also identifies partners who should be asked to participate in county efforts to help carry out the actions.

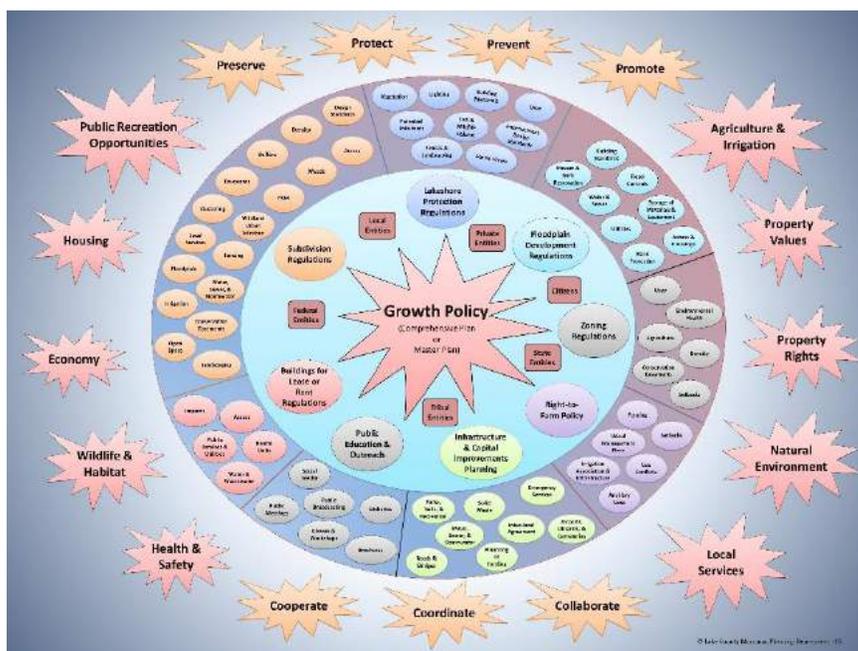
Lake County has chosen to use the growth policy as a resource management plan that the county can draw from to influence federal decisions that impact our citizens. It was also written to be a tool for the county, economic development agencies, farmers, and resource managers to use to gain competitive advantages when seeking grant funding.

Like the 2003 Lake County Growth Policy and preceding general planning documents, this growth policy will become a snapshot in time and an historic document.

But above all else, the Lake County Commissioners want this to be a document for our citizens. Our people should know what the county leaders envision for this great place we call home. This isn't just the county's vision, it's your vision. Members of the Lake County public should be able to pick this book up, point to its content and identify with what it is saying; and see the same vision as the county officials who use it every day. This should be *your* plan, to shape your place from now to decades down the road.

Growth Policy Mind Map

To a large extent, a growth policy is what a local government makes it, which depends on the local government's view of its importance. The image below, which is attached as Appendix A in a larger format, depicts what the Lake County Planning Department created in 2016 when internally



discussing the needs to update the growth policy. The image is coined a “Growth Policy Mind Map”; its theme is to show that a growth policy is central to many layers of planning concepts, from main governmental entities, land use regulations and county policies to day-to-day planning issues on up to larger issues that affect all residents. The mind map is included in this document to help visualize the various pieces of the planning puzzle and show where the growth policy fits into that puzzle. What growth policy readers and users focus on can vary, but many issues relate back to the growth policy.

Document Organization

Up until now, this growth policy has only scraped the surface of what it is and has only provided some background leading to the true heart of the document. Leading up to this point, the document should be considered introductory in nature, and hopefully enough to pique your interest so that you’ll want to know the entire Lake County Growth Policy.

From here forward, it is important to understand what state law requires of a growth policy. State law identifies several elements that a growth policy must include, but it also allows local governments to address issues that are specific to their jurisdiction. Some of the elements that must be addressed are:

- ✓ Land uses;
- ✓ Population;
- ✓ Housing needs;
- ✓ Economic conditions;
- ✓ Local services;
- ✓ Public facilities;
- ✓ Natural resources;
- ✓ Sand and gravel resources;
- ✓ Wildland-urban interface;
- ✓ Criteria for subdivision review; and
- ✓ Certain strategies, such as when and under what conditions the growth policy will be reviewed and updated.

The extent to which a growth policy addresses many of the above required elements is at the full

discretion of the governing body. In addition, state law gives the governing body discretion to include optional elements, some of which are included in this growth policy. This document includes the statutory requirements, but they are embedded within the overall document, as described below.

Key Issues (Chapter 4)

Chapter 4 contains an overview of the ‘Key Issues’ addressed in this growth policy.

Existing Conditions, Trends, Projections, and More (Chapters 5 – 8)

Chapters 5 through 8 give overviews of certain elements of Lake County, such as demographics, our natural resources, governmental frameworks and land use and development factors.

Implementation (Chapter 9)

Chapter 9 outlines the goals, objectives, and actions that carry out this growth policy via an implementation table, which organizes the actions by the goals and objectives they are intended to achieve. The key players in the implementation plan are also detailed, along with signs of success and timelines for implementation.

Guidance Icons

Guidance icons are used in various portions of this growth policy to identify various elements of the document. This section describes many of the required and optional elements of state law by paraphrasing language from 76-1-601, Montana Code Annotated (MCA) along with guidance icons that are used in the growth policy to indicate where the *required* elements are, as well as some of the important *optional* elements of state law.

Key Issues

Through the growth policy rewrite process in 2017, a number of ‘key issues’ were identified, and the draft goals and objectives were organized around those issues, which

were quickly narrowed down to five. The verbiage and order of those five key issues evolved through



the project, but ultimately through development of this growth policy, Lake County arrived at those five key issues, which the implementation chapter is organized around. Where the “Key Issue” icons appear in Chapters 5 – 8, the text provides in important discussion on a key issue.

Existing Conditions



Condition State law requires a growth policy to include maps and text describing an inventory of the existing characteristics and features of the jurisdictional area. Where the “Condition” icon appears, that part of the

text is intended to fulfill that statutory requirement. The “eye” is used for this icon because it illustrates that Lake County is observing the current county status.

Projected Trends



Projected Trend State law requires a growth policy to include projected trends for the life of the growth policy. Where the “Projected Trend” icon appears, that part of the document is intended to fulfill that statutory requirement.

Strategies

State law requires a growth policy to include certain “strategies,” such as a strategy for development, maintenance, and replacement of public infrastructure, and an implementation strategy for the growth policy. Where the



Strategy “Strategy” icon appears, that part of the text is intended to fulfill the statutory requirement.

Community Goals and Objectives

State law requires a growth policy to include community goals and objectives. Where the “Community Goal” and/or “Objective” icons appear, that part of the text is intended to fulfill the statutory requirement.

Goals and objectives are terms not defined by the state laws for growth policies, but Lake County uses the following definitions of those terms for this

growth policy:

Goals are broad statements describing a desired future condition. They are big-picture statements of what the county is trying to achieve.

Community Goal



Objectives are general descriptions of the steps Lake County should take to meet its goals. Objectives should be attainable, reasonable and measurable.

Objective



Implementation Actions

In describing the goals and objectives of the growth policy, certain implementation actions are identified to help achieve the goals and objectives. The following definition of action is used for the growth policy:

Action is a specific step Lake County can and should strive to take to attain the objectives.



Policies

State law requires a growth policy to include a description of policies, regulations, and other measures to be implemented in order to achieve the goals and objectives. To Lake County, the word policy refers to certain ideals or approaches county officials intend to take as they make decisions on matters related to the growth policy in the coming years.

Where the “Policy” icon appears, that part of the text in the document is intended to fulfill the statutory requirement.

Signs of Success

Lake County has identified signs of success for particular goals and objectives, which are a way to evaluate whether the goals and objectives are being achieved. These are to help the county officials and members of the public to visualize real world signs that the growth policy is working effectively.



Cooperation and coordination

Cooperation



Coordination

State law requires a county growth policy to explain how the governing body will coordinate and cooperate with other jurisdictions, including cities and towns located within the county's boundaries, on matters related to the growth policy. Lake County's policy is that intergovernmental coordination must extend well beyond the county working with cities and towns – this growth policy addresses intergovernmental coordination policies with other government units as well, including the Confederated Salish & Kootenai Tribes, county water and sewer districts, and the federal government (for "cooperating agency" status under the National Environmental Policy Act (NEPA). Where the "Cooperation/Coordination" icon appears, that part of the text is intended to address Lake County efforts to cooperate and coordinate with other jurisdictions, not only to meet the statutory requirements, but also other county policies.

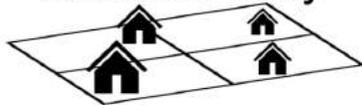
Other statutory elements

Other elements of growth policies required by state law include certain elements related to subdivision review and the wildland-urban interface (WUI). Where portions of the growth policy include the icons for "Subdivision Policy" and "WUI" the growth policy



includes language intended to address those applicable requirements of state law.

Subdivision Policy



How this Growth Policy was Created

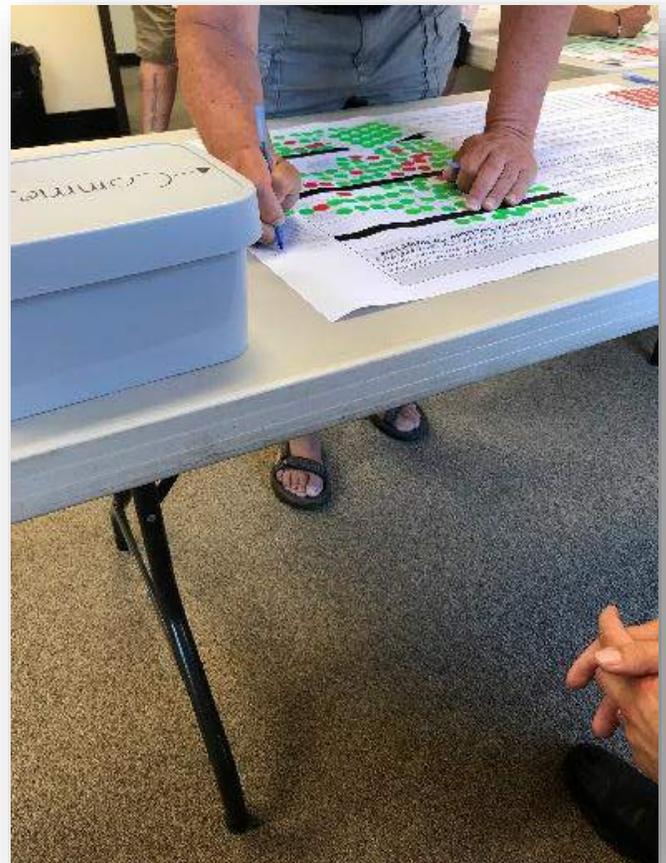
The first step in the growth policy rewrite process was to gather and analyze background information through research and interviews with top stakeholders, such as government officials, community leaders, and other interested parties. At

this time a website was established for the project so that information could be made readily available to the public throughout the process. At the end of the first phase, the first list of 'key issues' that needed to be addressed was developed.



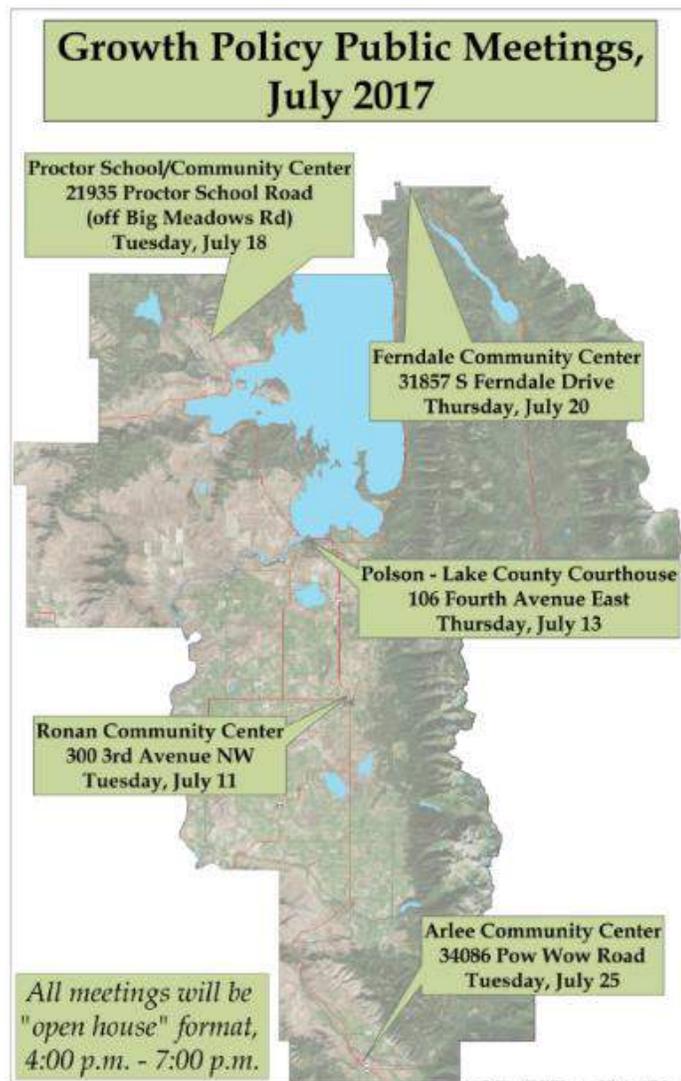
The next step was to further analyze and describe where the county was at as of 2017. A report of existing conditions and projected trends was created. Much of that information has been incorporated into this growth policy, with amendments as a result of public comments.

With 2017 data and information at the forefront, key issue statements, goals and objectives were written and an online survey to solicit public opinions of them was prepared along with a general questionnaire addressing public opinions and priorities. Once these materials were "online,"



Arlee public meeting, July 2017

planners from Land Solutions and Lake County took them to the public both through electronic communication and with community meetings in Ronan, Polson, Proctor, Ferndale, and Arlee.



In order to generate public awareness and to inspire public participation, Land Solutions and Lake County staff sent multiple emails via the project list serve to over 200 recipients; hung more than 30 posters around the county in post offices and stores; posted information on the county website and project website; worked with local newspapers; and participated in radio interviews.

At the July 2017 public meetings, nearly 100 members of the public discussed the main concepts and provided feedback on the draft goals and objectives, and Lake County issues in general.

The public outreach and online survey and questionnaire allowed the issue statements, goals,

and objectives to be refined and matched with draft implementation actions. With that, a first draft growth policy was written and taken to the Lake County Planning Board and Polson City-County Planning Board for public workshops and feedback from the boards and public.

At the public workshops of the planning boards, public input was provided, the boards requested edits, and further revisions were subsequently made based on the comments and county review of the comments.

Draft 2 was reviewed by the planning boards in January and February 2018. During this time, the Lake County Commissioners determined the Density Map and Regulations would be repealed as regulatory zoning to be made advisory only as a component of this growth policy, while majority of the Lake County Planning Board took the position that the Density Map and Regulations should remain regulatory.

In March 2018, Draft 3 was reviewed by the planning boards at public hearings, at which time the Commissioners worked through the repeal of the Density Map and Regulations as county zoning regulations. In March 2018, the Polson City-County Planning Board recommended Draft 3 be adopted with only minor revisions. The Lake County Planning Board continued working on the draft growth policy to keep up with the Commissioners' intentions with the Density Map and Regulations, and the Lake County Planning Board recommended adoption of Draft 3 of the growth policy subject to a long list of changes discussed at the Planning Board's multiple hearings.

The Board of Lake County Commissioners considered all public comments and recommendations of the planning boards and ultimately adopted this growth policy on August 21, 2018.

Updates/Revisions

State law requires that a growth policy must have strategy and timetable for reviewing the document at least once every five years and revising the policy if necessary. This section provides for that strategy along with guidance on various types of amendments that may occur through the anticipated 20-year life of the growth policy.

Strategy



County Updates/Revisions

The most likely updates or revisions to the growth policy will occur as a result of county officials determining updates are appropriate. The county's strategy and timetables for county updates and revisions are as follows.

Timetable

The planned timetable for reviewing the growth policy and revising if necessary includes an initial one-year review, and similar reviews that are planned to occur at least every five years.

Criteria for revisions

A growth policy must include a list of conditions that should lead to revisions by the county.

Examples of conditions that should lead to revisions are:

- ✓ Significant changes in county policies
- ✓ Significant changes in demographics (current conditions or projected trends) or other baseline conditions related to the economy, population, housing market, etc.
- ✓ Gaps or unanswered questions in the growth policy
- ✓ Changes in state laws
- ✓ Needs of regulatory documents that are not reflected in the growth policy

Procedures for revisions

The process for revisions should reflect the revisions contemplated. The minimum processes for reviews and possible revisions are outlined below; however, if significant revisions are necessary, such as a full rewrite, the required processes will be expanded to

respect the public's expectations.

One-year review

It is expected that the Lake County Commissioners and Planning Department staff will use and work with this growth policy on a continual basis – the document will be referred to sometimes daily, and more often weekly. In addition, the Lake County Planning Board is likely to look to the growth policy for guidance on a regular basis, as may the Polson City-County Planning Board. Through working with the growth policy, the planners, Commissioners, and board members are likely to run into questions, seek clarification, or even find a growth policy provision to be inappropriate for its time or context. Throughout the first year, these users of the growth policy should make notes of possible needs for revisions.

At one year after adoption of the growth policy, the Planning Department and County Commissioners will meet and discuss any challenges and possible revisions. Included in the discussions will be the Density Map and text (Appendix C) and the usefulness of those documents as advisory elements of the growth policy. At this time, growth policy provisions that have been accomplished, those that have been a success, and possible challenges and revisions should be noted and communicated to the Lake County Planning Board and Polson City-County Planning Board. The planning boards should then conduct one-year reviews of the growth policy, allow for and consider public comment, and make recommendations to the Planning Department and Lake County Commissioners regarding possible revisions. The recommendations could be to take no action, or to take action to initiate amendments according to a recommended timeframe. The Commissioners will then meet again with the Planning Department staff to review the board recommendations, and the Commissioners will determine the next steps with consideration of the planning boards' and staff recommendations.

Five-year reviews

State law requires a growth policy to be reviewed at least once every five years. If the one-year review occurs, the next review can occur as the Lake County Commissioners find appropriate. However, at least one review must occur every five years.

The process outlined above for the one-year review should be followed, except as below, when mandated by the Board of Lake County Commissioners, or when initiated by the Planning Department, which can occur at any time the Planning Director chooses using the one-year review process.

Commissioners' Mandates

The Board of Lake County Commissioners, upon majority vote, may require an expedited review of growth policy revisions. At a minimum, such revisions must be made in accordance with state law, and include recommendations by both planning boards, although it is preferred that any proposed growth policy revision use the above procedures described for the one-year review.

Citizen Updates

Citizens and other members of the public can propose growth policy revisions. Growth policy amendments by private parties would typically be proposed to support development proposals, but may be intended for various reasons to change county policy.

Proponents of proposed official updates to this growth policy must submit an application form (and review fee if adopted by Lake County), describe the precise revisions requested and how the request corresponds with and deviates from Lake County's adopted policies, goals and objectives.

Citizens should also be made aware that opportunities for public comment are available during any review or update to the growth policy.

Chapter 4

Key Issues



Introduction

The following are the five “Key Issues” that surfaced early in the rewrite process based on the planning process’s attempt to summarize and group the top issues facing Lake County for discussion purposes. Those key issues were boiled down during the process of developing this growth policy, and their groups provide some structure for the multitude of issues this growth policy is intending to address and that the implementation table in Chapter 9 is organized around:

1. Quality of Life
2. Housing
3. Economic Development
4. Local Governance and Leadership
5. Land Use and Development

The following are summarized ‘issue statements’ for each of the five key issues, along with vision statements that summarize Lake County’s vision for what the county should strive to achieve in relation to each issue.

Key Issue 1: Quality of Life

Issue statement: Lake County is a unique place with fabulous natural and cultural amenities that provide a base for our economy and enhance our quality of life. Lake County seeks to protect those amenities while providing for public health and safety for residents and visitors.



Vision statement:

Communities and rural areas in Lake County are clean, safe and healthy for all residents and visitors and we protect our natural and cultural resources and amenities for the benefit of residents, visitors, and the local economy.

Key Issue



Key Issue 2: Housing

Issue statement: There is a lack of housing for sale and for rent in the price ranges that are needed. Wages are not keeping up with the real estate housing and rental markets. As a general trend, young people are leaving Lake County and not returning, and many who start their careers here are not staying, which is partly attributable to housing costs. Housing types must also meet the needs of an aging population. Much of existing housing stock is in need of rehabilitation.

Additional housing for sale or rent must be accomplished without increasing the tax burden on other property owners.



Vision statement:

There is sufficient housing for sale and for rent in all price ranges. Homes and residential lots are readily available and are affordable even for those Lake County citizens making modest or average incomes. Lack of affordable real estate is not a cause of people leaving Lake County, and is sufficient to attract new people and those who have left. Housing options are diverse, and retirees and senior citizens can view Lake County as an attractive living option.

Key Issue 3: Economic Development

Issue statement: The key to economic development in Lake County is to capitalize on the local competitive advantages such as Flathead Lake, a healthy natural environment and our small town rural character, building on our strengths and addressing our weaknesses. Lake County must strive to provide attractive, unique and functional communities; support business retention and development; conserve



and utilize important natural and agricultural resources; and support and provide culturally-appropriate public access to recreational lands.

Vision statement: Communities and rural areas in Lake County protect our competitive advantages and maintain their distinct character while improvements are created that promote the long-term economic viability of the area.

Key Issue 4: Local Governance and Leadership

Issue statement: In Montana, many governments and agencies provide public services. These entities must work together to provide efficient and effective service delivery. Lake County is more complex than most counties because approximately two-thirds of the county overlaps with the Flathead Indian Reservation. Issues related to the overlapping

jurisdictional areas are paramount to efficient and effective governance. The limited tax base that comes with a high volume of tax-exempt federal and tribal lands that still require some forms of public service is a major issue.



The Lake County Commissioners see the current situation with fee land going into tax exempt status at a critical stage that if not addressed by the county, the federal government, the state, and/or the tribes may result in a failed county government. A related issue is the different land use regulation of tribal and non-tribal properties, with many residents believing regulations are not equally applied. Exempt lands not under the jurisdiction of Lake County are still part of the essential fabric of the county and the county must therefore participate in land management decisions when possible.

It is also often in the best interest of the Lake County public for the county government to assist

municipalities and local districts with providing infrastructure and services, and to align county regulations and policies with those of the municipalities and other local units of government in circumstances that promote more efficient services and well-planned communities.

Vision statement: Lake County is a leader, providing a model of efficient and effective public services. The county government works cohesively with other local, state, tribal and federal governments. Lake County residents contribute to this 'community of communities' and participate in various levels of government. Communities are well planned and realize the visions of local participants, leaders, and units of government.

Key Issue 5: Land Use and Development

Issue statement: It is important to understand the effects of land use policies and regulations over time, including impacts on natural and cultural amenities, the economy, county residents, and county staff and budgets. Therefore, it is important to have in place a realistic mechanism and timeframe for policy and regulation evaluations and updates.

Vision statement: Lake County's land use regulations are innovative, yet

simple and consistently applied throughout the county and across different jurisdictions. County approval processes are appropriate for their times and contexts and respond to the needs of the public while serving the purposes of promoting effective and high-quality community development, protecting natural and community resources, and avoiding land use conflicts. Land use policies balance individual rights guaranteed by the state Constitution with overall community welfare.



Chapter 5

Demographics of Lake County

A word cloud graphic featuring various terms in different sizes and orientations. The most prominent words are 'POPULATION' and 'ECONOMICS' in large, bold, blue letters. Other significant words include 'HOUSING', 'PROJECTIONS', 'TRENDS', 'JOBS', 'CHANGES', 'AGES', 'EARNINGS', 'SALES', 'PEOPLE', 'AVERAGE', 'HOMES', 'COSTS', 'HOUSEHOLDS', 'RENT', 'EMPLOYMENT', 'DISTRIBUTION', 'SALE', 'ECONOMY', 'industry', and 'FACTORS'. The words are arranged in a dense, overlapping manner, with some appearing vertically and others horizontally.

SALES
EARNINGS
AGES
COSTS
HOUSEHOLDS
RENT
HOUSING
CHANGES
JOBS
TRENDS
POPULATION
PEOPLE
AVERAGE
HOMES
ECONOMICS
PROJECTIONS
EMPLOYMENT
DISTRIBUTION
SALE
ECONOMY
industry
FACTORS

Population

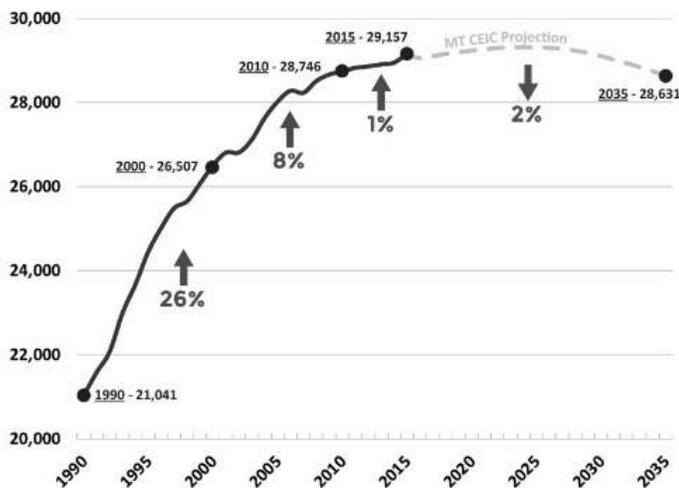
It must first be understood that Lake County has a seasonal fluctuation, with many residents residing in Lake County during the mild months and keeping residency elsewhere during winters and shoulder seasons. The result is that census population counts and projections cannot always account for these factors or give reliable statistics regarding the degree of seasonal fluctuation that occurs; therefore this growth policy is also unable to.

Existing

As of 2015 the population of Lake County was estimated at 29,157, a 10% increase since 2000 when the population stood at 26,507. Since 1990, Lake County's population has grown steadily, with the 1990s being a period of rapid growth, with an annual average growth rate of 2.6% - see Figure 1. At the beginning of the century, Lake County appeared to be on track for another decade of high growth, however, growth rates declined slightly during the time of the national recession, beginning around 2007. Overall, between 2000 and 2010 Lake County's population increased by 8% at an annual average growth rate of 0.8%. In recent years, Lake County has experienced moderate growth, with the population increasing by 1.4% between 2010 and 2015 – an average annual growth rate of 0.3%.ⁱⁱⁱ

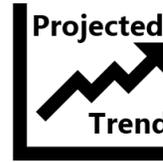


Figure 1 - Population Change 1990 – 2015, and 2015 – 2035 projections



Projections

The State of Montana's Census and Economic Information Center (CEIC) provides county level population projections. Projecting 20 years into the future, CEIC estimates Lake County's overall population to continue to grow slightly until around the year 2024 at which point the population is projected to decline at a slow rate, due in part to an aging population, smaller household sizes, and younger people seeking jobs in larger urban areas. Overall, between 2015 and 2035 Lake County's population is projected to decline by 2%.^{iv} There are many variable factors that could shape actual population change over the next 20 years, so this projection is viewed with a level of uncertainty.



Age Distribution

As of 2015, the 18-44 and 45-64 age groups made up the largest share of Lake County's population, each at 28%, followed by under 18 (25%) and 65+ (19%). As shown in Figure 2, these percentages indicate change since 2000, with decreases in under 18 and 18-44 age groups, and increases in the 45-64 and 65+ age groups. Most notable is the fact that the number of individuals over the age of 65 increased by 43% between 2000 and 2015. By comparison, Montana, while also aging relative to the United States as a whole, saw a 36% increase in their 65+ populations during this time.^v Also notable is the increase in individuals aged 45-64, because in 20 years these individuals will be at or near retirement age and will likely have different needs in terms of housing, mobility, and healthcare. Taken together, these trends point to a population that is growing older with a decreasing share of school-aged children.

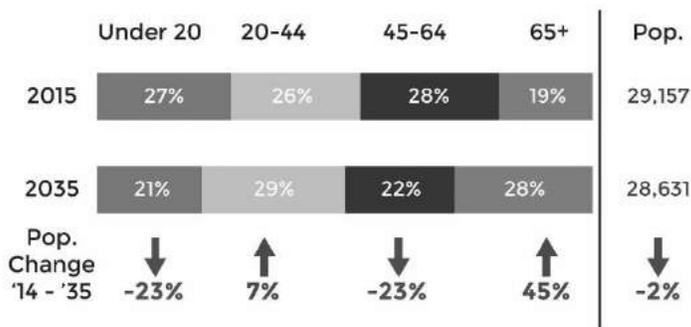


Figure 2 – Population changes by age categories, 2000 through 2015

| | Under 18 | 18-44 | 45-64 | 65+ | Pop. | Med. Age |
|-----------------------|----------|-------|-------|-----|--------|----------|
| 2000 | 28% | 32% | 25% | 15% | 26,507 | 38.2 |
| 2015 | 25% | 28% | 28% | 19% | 29,157 | 41.6 |
| Pop. Change '00 - '15 | -3% | -4% | 23% | 43% | 10% | |

The Montana CEIC also provides population projections by age group for Montana Counties. In terms of growth within different age groups, the aging trend in Lake County is projected to continue. Lake County’s senior population (age 65+) is projected to see the largest increase by 2035 at 45%, followed by the 20-44 age group which is projected to grow by 7%. Both the under 20 and 45-64 age groups are projected to decrease over the next 20 years, both by 23% – see Figure 3.^{vi} These projections show a continuation of the aging trend Lake County has experienced since 2000. Based on these figures, more senior friendly housing, transportation options, and medical services will be needed to accommodate an aging population.

Figure 3 – Population projections by age categories, 2015 through 2035



Geographic Distribution

Of Lake County’s estimated 29,758 residents in 2016^{vii} (as of the date of this report, 2015 figures were unavailable for the three municipalities), an estimated 4,707 people resided in the City of Polson (an increase of 219 or 4.9% since 2010), 1,981 in the City of Ronan (an increase of 110 or 5.9% since 2010), and 817 in the Town of St. Ignatius (a decrease of 25 or -3% since 2010). These estimates for the three municipalities, with a 2016 population of 7,505 people, up 4.2% from 2010, result in an estimated 22,253 people who reside in the unincorporated Lake County jurisdictional area, an increase of 708 people or 3.3% from the 2010 population of 21,545. This shows a slight increase in urban populations in Lake County relative to rural populations.

Map 7 (Appendix B, page B-1) depicts the geographic population distribution of Lake County in 2010 based on census blocks (data for 2015/2016 estimates are unavailable). The map demonstrates

the highest density of Lake County’s population is within and around the three municipalities, as well as the unincorporated communities of Pablo, Arlee, Charlo, Woods Bay and Ferndale.

Please note the breaks in density categories of 80 people per square mile approximately correlates to an average household size of 2.38 people and 19.04-acres per house (±20-acres per dwelling unit), 320 people per square mile approximately correlates to 4.76-acres per house (±5-acres per dwelling unit), and 800 people per square mile approximately correlates to 1.9-acres per house (±2-acres per dwelling unit). These population density breaking points were selected to allow some comparison between actual population density and the Lake County Density Map and other zoning densities currently in place in Lake County.

Racial Composition

As of 2015, estimates show the most predominant race in Lake County is white. Overlapping with the Flathead Reservation, Lake County also has a sizeable Native American population. As Table 1 shows, Lake County’s Native American population is more than three times that of Montana on a percentage basis.^{viii}

| Table 1: Racial Composition (Race Alone) | Lake County | | Montana | |
|--|---------------|---------------|------------------|---------------|
| | # | % | # | % |
| White | 19,995 | 68.6% | 904,977 | 89.2% |
| Black | 72 | 0.2% | 4757 | 0.5% |
| Indian | 7042 | 24.2% | 65,693 | 6.5% |
| Asian | 111 | 0.4% | 7187 | 0.7% |
| Hawaiian | 8 | 0.03% | 848 | 0.1% |
| Other | 89 | 0.3% | 5460 | 0.5% |
| 2 or More Races | 1840 | 6.3% | 25,777 | 2.5% |
| Total | 29,157 | 100.0% | 1,014,699 | 100.0% |

Summary

Lake County’s population is slowly growing, and is distributed throughout the county. The population is aging, and housing must keep up with trends in the population. There are also social trends that affect other key issues, such as increasing impacts on an insufficient county detention center, a court order to provide adequate court rooms, and financing sources for these facilities. These local services are essential simply to provide for public health and safety.

Other issues that pertain to quality of life include need for recreational facilities, and items that must be planned in order to accommodate safe, efficient growth in various areas of our community. Parks planning and development in the wildland-urban interface are addressed in the quality of life section of the implementation table, although context is given in Chapters 7 and 8.

Housing

Profile

In 2015 there were an estimated 16,613 housing units in Lake County. The housing stock in Lake County is made up of 79% single-family housing, 8% multi-family housing, and 12% mobile homes. These figures have remained relatively stable since 2000.^{ix}

As of 2015, 72% (11,978) of housing units in Lake County were estimated to be occupied and 28% (4,635) were vacant, representing an increase in the number and percent share of

Key Issue



Condition



| | 2000 | 2015 |
|--------------------------------|--------|--------|
| Housing Units | 13,605 | 16,613 |
| Vacant | 25% | 28% |
| Vacant – 2 nd Homes | 79% | 75% |
| Occupied | 75% | 72% |
| Owner Occupied | 71% | 70% |
| Renter Occupied | 29% | 30% |

vacant housing units since 2000 – see Table 2.

The high percentage of vacant housing units is likely due to seasonal homes and/or homes used for vacation rentals. According to American Community Survey data, in 2015, an estimated 75% of vacant housing units in Lake County were for seasonal, recreational, or occasional use. In 2015, of the 16,613 occupied housing units, 70% were owner occupied and 30% were renter-occupied, a similar ratio to 2000.^x

Household Size

As of 2015 there were an estimated 11,978 households in Lake County, a nearly 20% increase since 2000. During this time period household size shifted, with an increase in the number of households being largely driven by increases in 1-person and 2-person households. Between 2000 and 2015, the number of 1-person and 2-person households increased by 41% and 19% respectively. Comparatively the number of 3-person and 4-person households increased by only 1.1% and 0.4% respectively. These figures point to a decrease in household size in Lake County, indicative of an aging population. On the whole, average household size in Lake County decreased by 6% between 2000 and 2015, from 2.54 to 2.38.^{xi}

Household Composition

Patterns in household composition correspond to the changes in household size experienced in Lake County. Between 2000 and 2015 the share of family households decreased by 5% while the share of non-family households increased by 5% - see Table 3.

| | 2000 | 2015 |
|-----------------------|--------|--------|
| Households (HH) | 10,192 | 11,978 |
| Family HH | 71% | 66% |
| Non-Family HH | 29% | 34% |
| HH w/ Children <18 | 36% | 30% |
| HH w/ Individuals 65+ | 26% | 32% |
| Avg. HH Size | 2.54 | 2.38 |
| Avg. Family Size | 3.02 | 2.91 |

At the same time the share of households with children under the age of 18 decreased by 6% and the share of households with an individual over the age of 65 increased by 6%. Taken together these figures correspond with Lake County’s aging trend.

Housing Costs

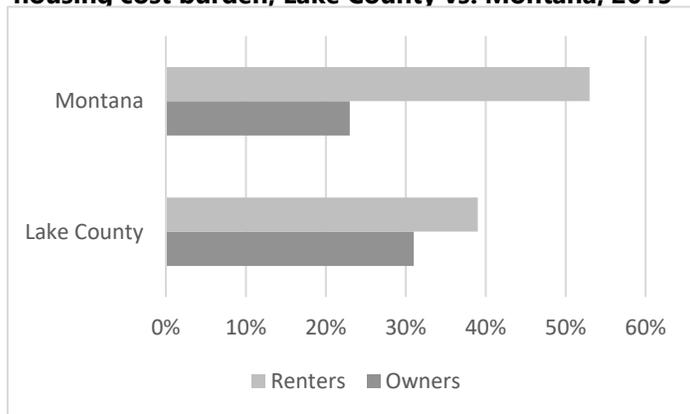


The median housing value as of 2015 in Lake County was \$220,200 (82% increase since 2000), which is substantially higher than Montana (\$193,500). This figure is likely higher than the state due to the

number of high value homes around Flathead Lake and Swan Lake. When looking at rents however, Lake County’s median rent is below that of Montana. In 2015 the median rent in Lake County was \$626 (55% increase since 2000), slightly less than Montana at \$711.^{xii 1}

Looking at housing cost burden (paying more than 30% of household income on housing) is helpful in providing a snapshot of housing affordability in Lake County. In 2015 an estimated 31% of homeowners in Lake County had a housing cost burden, an increase of 6% since 2000 – see Figure 4. The financial challenges are even greater for renters, with 39% of renters in Lake County having experienced a housing cost burden in 2015, a 3% decrease since 2000. In Montana as a whole, a lower

Figure 4 – Percentages of owners and renters with a housing cost burden, Lake County vs. Montana, 2015



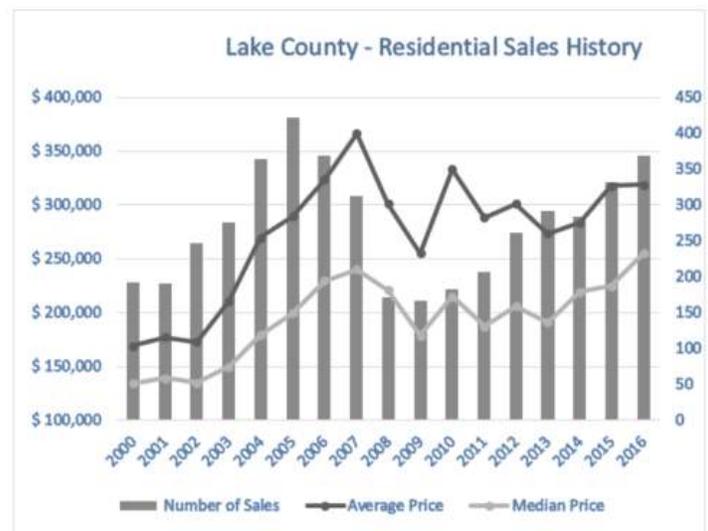
¹ Per the 2015 American Housing Survey, monthly housing costs for renter-occupied housing units include the rent, utilities, property insurance, land rent, and homeowner or condominium association fees (e.g. mobile home park fee or other fees for mobile home utility hookups). Renter housing units occupied without payment of cash rent are shown separately as “No cash

percentage of owners have a housing cost burden than in Lake County, while a higher percentage of renters across the state have a housing cost burden than in Lake County.^{xiii}

Housing Sales Prices

Historic sales prices of homes are an indicator of major market trends. Figure 5, provided by Jim Kelley of Kelley Appraisal in Kalispell, represents residential sales history from 2000 through 2016.

Figure 5 – Residential Sales History, average and median prices and number of sales, 2000 – 2016



The number of sales peaked in 2005 and reached its lowest numbers in 2009 during the heart of the recession, and has since rebounded to pre-recession figures. In terms of home prices, sales prices reached their lowest in 2009, with median home prices dropping below \$200,000, but median home prices have since rebounded to pre-recession highs.

As reported by Jim Kelley, “2016 was a near record year for home sales in Lake County. There were 369 home sales reported, compared to 332 in 2015, representing an 11% increase.

The median price in 2016 was \$255,000, which was

rent.” (Households who do not pay cash rent may still pay utilities.) For rental units subsidized by a housing authority, the federal government, or state or local governments, the monthly rental costs reflect only the portion paid by the household and not the portion subsidized. The figures do not adjust for lost security deposits or the benefit of free rent offered by some owners.

13.6% above the 2015 median of \$224,500. The 2016 median was higher than the 2007 high of \$240,000 by 6.3%.

In 2015, around 14.4% of Lake County’s market is made up of waterfront homes, which tend to increase overall home prices. When lakefront homes are not considered, the median home price for 2016 was \$225,000, which is an 8.8% increase over \$206,750 median of non-waterfront homes in 2015.

The greater Polson area had a 7.5% increase in the number of sales in 2016 and a 11.1% increase in the median price. The greater Ronan area had nearly the same number of sales as it did in 2015, but the median price increased by 21.3% to \$185,000. ”

As reflected by these numbers, the real estate market is strong again, but Lake County officials are concerned with the housing costs compared to earnings.

Housing Projections

Housing prices are impacted by so many variables, it is difficult to project trends into the future. The economy, demographics, consumer preferences and regulations will shape the housing market in and around Lake County. The best Lake County can do within this document is act appropriately in hopes of providing an atmosphere where a healthy real estate market can flourish.

Through implementation of this growth policy, it is Lake County’s housing goal to encourage the creation of all types of affordable and workforce housing. This specifically includes housing for landowners’ family members, employees of workers our economies depend upon, and accessory dwelling units (ADUs) that can bring additional supporting income to the landowners while alleviating pressures from unmet housing needs. The various objectives and actions intended to meet that goal are found in Chapter 9.



Community Goal



Economy

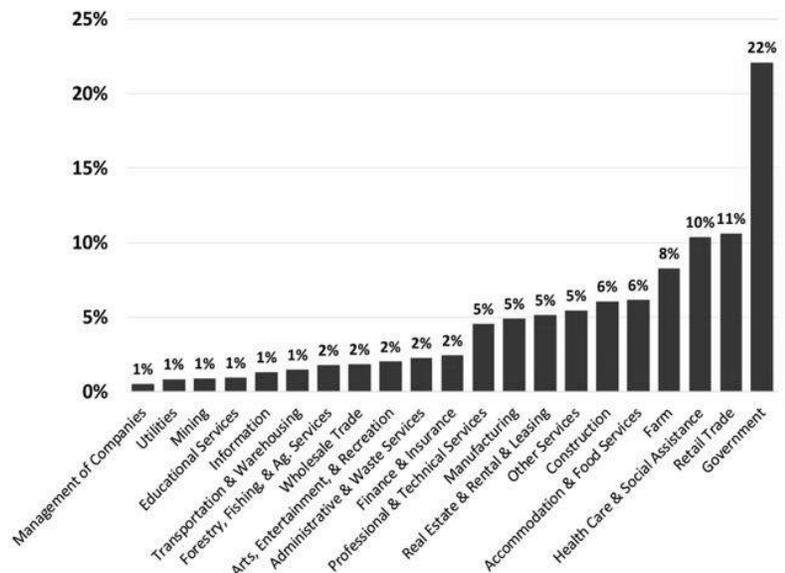
Profile

Overall, employment in Lake County is concentrated in government, retail, and health care – see Figure 6. The majority of jobs in Lake County are located in the population centers of Polson, Ronan and Pablo. Employment in retail, healthcare, and accommodation and food services is concentrated in Polson and Ronan, while employment in educational services is concentrated in all three locations. Polson and Pablo also have high concentrations of government jobs being the home offices for Lake County, the City of Polson and the Confederated Salish & Kootenai Tribes.

Lake County Commissioners note that the relatively high proportion of government jobs in part reflects a large number of tribal government jobs that are not as readily available to the general Lake County population due to tribal member hiring preference policies.

While tribal hiring preferences impact what jobs may be readily available to various classes of people, it should also be acknowledged that the tribes and tribal businesses also provide jobs to non-members and non-Indian employees; as of December 2017, the tribes estimate that CSKT and its businesses provide more than 500 jobs to non-members and non-Indian employees.

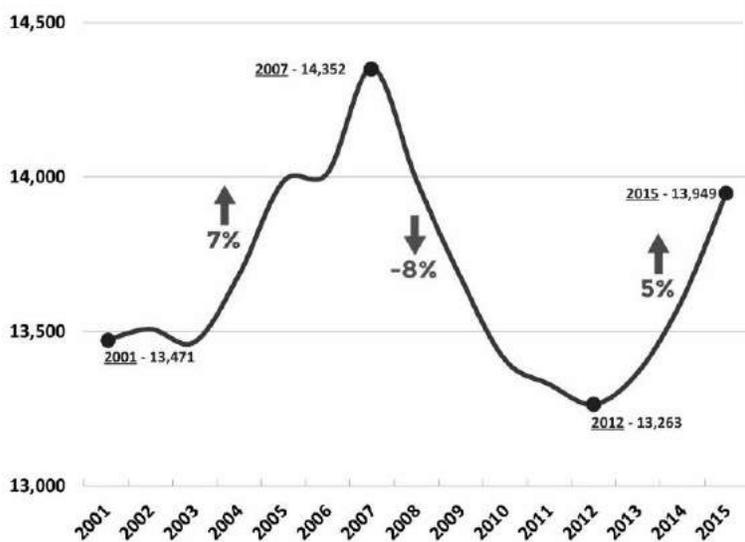
Figure 6 – Employment by industry



Employment

As of 2015, total employment in Lake County was estimated at 13,949. Since the turn of the century, Lake County has experienced ups and downs in employment, brought on by the impacts of the national recession – see Figure 7. At its peak in 2007, total employment stood at 14,352 and unemployment was at 3.6%. At its low in 2012, total employment was at 13,263 (8% decrease) while unemployment reached its highest point in 2009 at 9.2%.^{xiv}

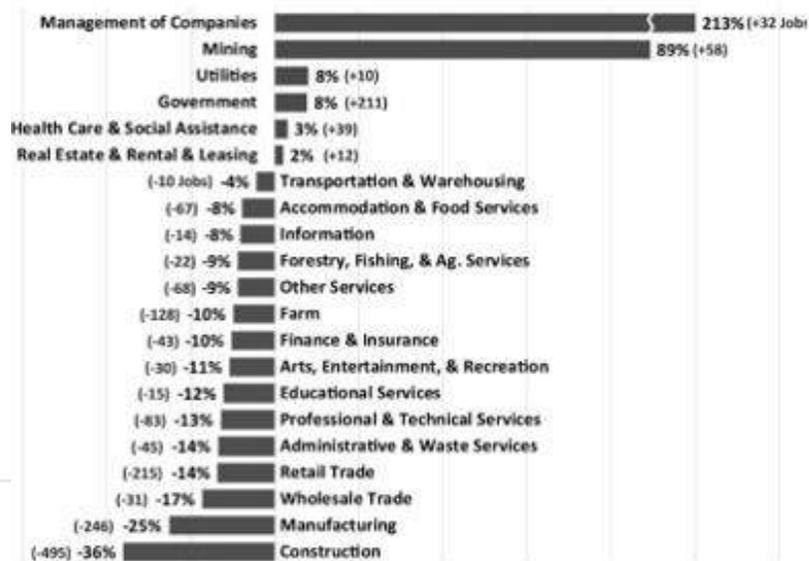
Figure 7 – Employment numbers, 2001 through 2015



Between 2007 and 2012 employment in Lake County decreased in 15 of 21 industry sectors – see Figure 8. The largest percentage employment decreases were experienced in construction, manufacturing, wholesale trade and retail. At the other end of the spectrum, several industries saw employment increases during this time, notably government. Since the trough of the national recession, Lake County’s economy has been slowly rebounding.

Between 2012 and 2015 total employment increased by 5% with employment increases in 16 of 21 industry sectors – see Figure 9. Despite these gains, employment in construction and manufacturing has continued to decline. However, as the economy continues to improve, additional jobs in these sectors can be expected. Current uncertainty in federal policies may also translate into a decline in

Figure 8 – 2007 – 2012 Employment Changes by Sector



government jobs in the near future. It should also be noted that there are seasonal factors that relate to employment numbers and a tourism economy that are not completely captured by the shown data.

Figure 9 – 2012 – 2015 Employment Changes by Sector

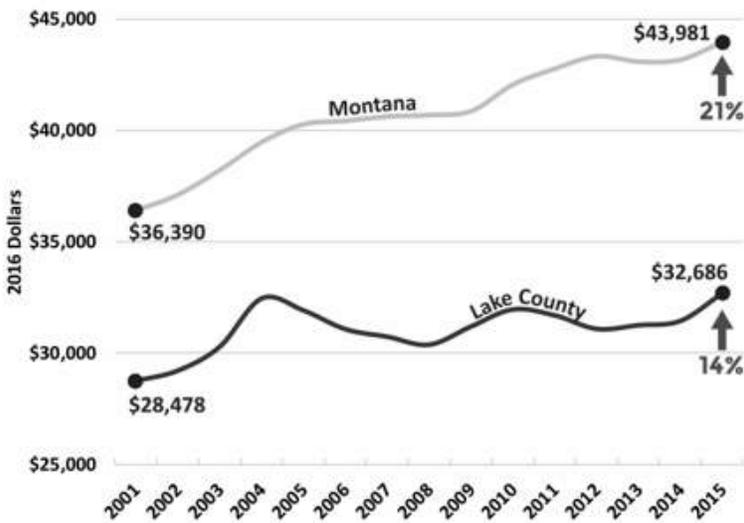


Earnings

As of 2015, average annual earnings per job in Lake County stood at \$32,686, while the figure for Montana was \$43,981 – earnings figures reflect 2016

dollars.² Please see Figure 10. By comparison, average earnings in Montana have increased at a greater rate and experienced less variation since 2001. In that time, average earnings have increased slightly in Lake County, while experiencing peaks and valleys corresponding with changing economic conditions. Similar to employment, earnings trends in Lake County reflect the downturn of, and subsequent rebound from, the national recession. Additionally, the seasonal nature of the tourist economy in Lake County tends to result in some lower paying jobs in the accommodations and food services and the arts, entertainment and recreation sectors.

Figure 10 – Average annual wage earnings in Lake County and Montana, 2001 through 2016



On average, earnings are highest in the utility, information and government industries – see Figure 11.

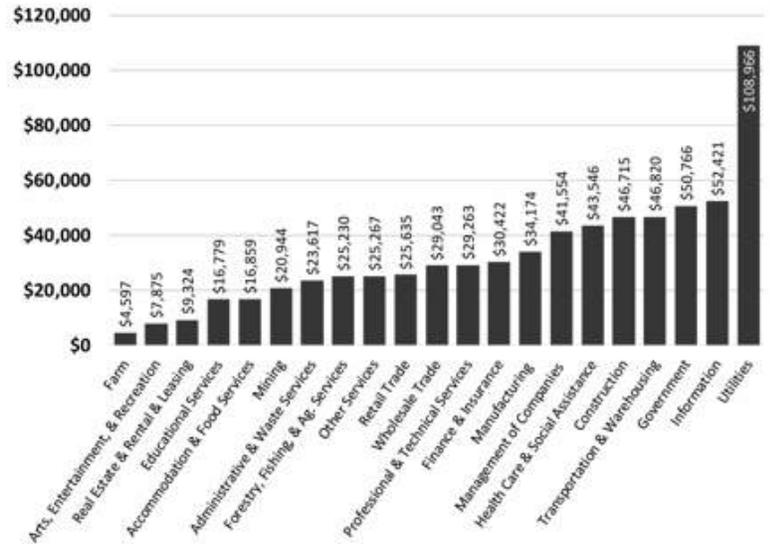
Projections

Like housing, the overall economy in Lake County is impacted by so many variables, such as the national and global economies, it is difficult to project trends into the future. However, if Lake County residents can capitalize on the natural amenities and local cultures while working to make



² Earnings include wages, benefits, and proprietors' income. Average earnings equal total earnings divided by total full-time and part-time employment.

Figure 11 – Earnings by industry sector, 2015



our communities attractive and functional, the local economy is likely to remain relatively strong.

Economic Development Goals, Objectives, and Actions

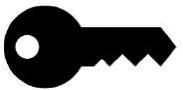
To influence the local economy to the extent possible, it is Lake County's policy to proactively take steps to promote economic development on the local and regional levels. This starts within each and every community in Lake County.

With that policy in mind, Lake County has the following goals for economic development:

- Provide attractive, functional communities and amenities that are accessible to residents and visitors
- Be an inviting place for those seeking Lake County's cultural and recreational amenities
- Support existing businesses and encourage the formation of new ones

The various objectives and actions intended to meet these goals are found in Chapter 9.

Key Issue



Policy



Community Goal



Objective



Action



Chapter 6

Natural and Cultural Resources

AGRICULTURE

TIMBER

SAND AND GRAVEL

WATER

FISH AND WILDLIFE

CULTURAL RESOURCES



Agricultural Resources

Lake County provides valleys with strong agricultural production. The Mission Valley, Jocko valley, Proctor Valley, and east shore of Flathead Lake provide good- to high-quality soils that, along with the relatively low elevation, moderate climate, irrigation systems and other local factors, lead to an ongoing, successful agricultural presence in the county. Map 8 (Appendix B, page B-2) shows Lake County’s distribution of important farmland based on soils types per the United States Department of Agriculture’s soil survey for Lake County. However, as identified in the 2003 Growth Policy, several factors have been combining to push farmers and ranchers out of production. These include low commodity prices, fluctuating markets, the small average size of local farms, the rising average age of farmers, the increasing need for residential parcels and the increasing pressures from nearby residential development.

Condition



The 2003 Growth Policy provided data on farm statistics for 1992 and 1997, which highlighted the most recent data at that time from the U.S. Census Bureau, Census of

Agriculture. The most notable numbers were the numbers of farms, the average size of farms, and the total land in farms. Table 4 updates that handful of statistics from the 2003 Growth Policy using the most recently available data from the Census of Agriculture in 2012.

As shown in Table 4, Lake County’s overall number of “farms” continues to rise, while the average size of farms in Lake County continues to shrink. The overall acreage of land in farms from 1997 to 2012 dropped by 40,960 acres or 6.86% over those 15 years (the previous 5 years from 1992 to 1997 also dropped almost 35,000 acres or nearly 5.5%).

It’s important to consider the definition of a “farm” in this data from the Census of Agriculture: “The census definition of a farm is any place from which \$1,000 or more of agricultural products were produced and sold, or normally would have been sold, during the census year...” It is noteworthy that the definition of “farm” isn’t necessarily consistent with local meanings/interpretations (such as Montana tax codes that place the yearly income

threshold at \$1,500, among countless other differences). However, the statistics are worth observation.

Additional statistics from the Census of Agriculture show that as of 2012, of 56 counties in Montana, Lake County ranks 3rd in farms of 1 to 9 acres, and in farms of 10 to 49 acres. The statistics also show Lake County’s prominence in Montana’s orchard rankings, with 57% of Montana’s orchards being in



Looking across a Mission Valley farm

Lake County. Lake County’s 186 orchard farms constituted approximately 16% of all of Lake County’s farms, and the orchard farms averaged 3.59-acres each. With those statistics, it’s easy to see how Lake County ranks 3rd amongst Montana’s counties for the number of small farms, while county’s rank is 43rd in total acreage in farms.

| Table 4: Farm Statistics, 1992, 1997, and 2012 | 1992 | 1997 | 2012 |
|---|-------------|-------------|-------------|
| Number of farms | 948 | 1011 | 1156 |
| Average size (acres) | 666 | 590 | 481 |
| Land in farms (acres) | 631,377 | 596,726 | 555,766 |

What do those numbers say about agricultural trends in Lake County? Because the average size of Lake County farms is dropping while the number of

farms is increasing, the concern from the county’s perspective is that agricultural land is being fragmented by other land uses, primarily residential. This occurs through subdivisions and exempt divisions. Many of those land divisions likely result in loss of agricultural land permanently, a trend not uncommon in western Montana.



The trends identified in the 2003 Growth Policy appear to have continued through 2012, and the day-to-day observation is that these trends likely continue through 2017/2018 and will continue into the future. Lake County doesn’t intend to stop the trends, but instead will recognize the importance of agricultural land and adopt policies to mitigate impacts on agriculture. Lake County policies can shape the results of the loss of farm land.

The policies taken by Lake County to recognize and react to those trends since 2003 have been primarily to take steps to strongly protect agriculturally productive lands by limiting further subdivision of it and/or mitigating the impacts of subdivisions. However, it may also be important in the future to address other factors and to find or create ways for all of Lake County’s agricultural producers (of all sizes and kinds) to take advantage of various markets and economic trends. This may include promoting land uses that take advantage of the ability for Lake County and its residents to produce value-added products. Dairies, wineries and small farms are examples of those kinds of land uses.

With this growth policy, Lake County is adopting revised goals to conserve and promote agricultural resources and development patterns that protect unique natural assets while promoting efficient development. The various objectives and actions intended to meet these goals are found in Chapter 9.

Community Goal



Objective

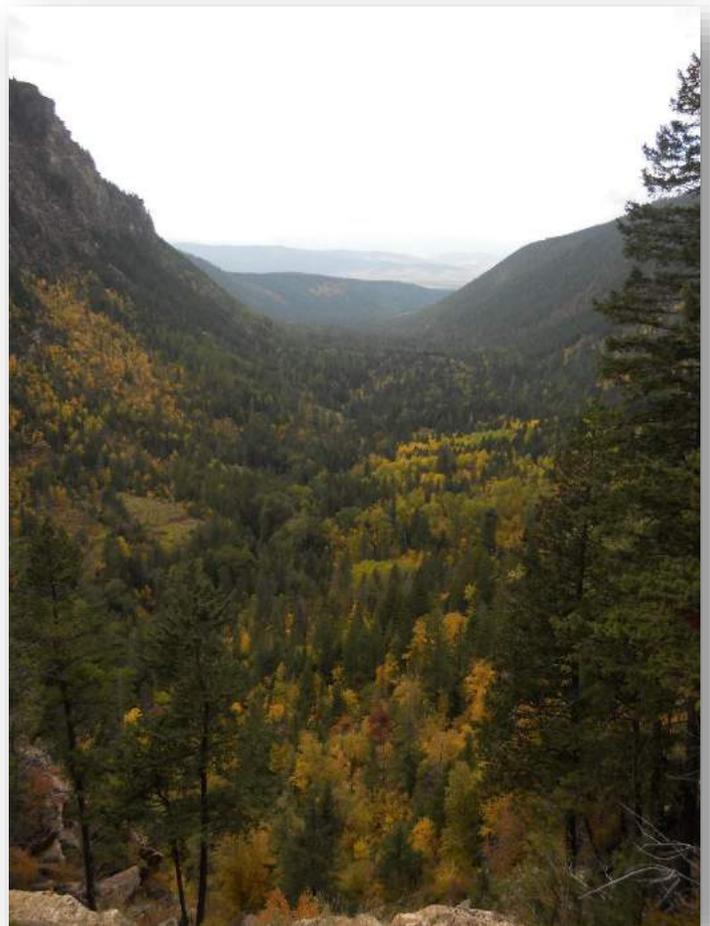


Action



Timber and Forest Resources

Lake County’s timber and other forest resources are extensive, an important factor relating to the one-third of Lake County located off the Flathead Indian Reservation. There are extensive timberlands owned by the tribes and held in tribal trust status. Plum Creek (Timber Company, Timberlands, etc.), a former large timberland owner, timberland management company, and land development company that was purchased by Weyerhaeuser in 2015/2016, has historically been one of the largest private landowners in Lake County. Since the 2003 Growth Policy, a large amount of private timberlands, primarily those formerly in Plum Creek ownership, have been transferred to other parties. Some of the timberland surrounding Lake Mary Ronan have been sold to another private landowner with development



Forest land east of St. Ignatius in autumn colors

plans. Much of Plum Creek’s timberland in the Swan Valley has been transferred into the Montana Legacy Project and are now conservation land.

The Flathead National Forest manages approximately 161,000 acres in Lake County, which amounts to over half of the land in Lake County off the Flathead Indian Reservation. Between 85,000 and 95,000 acres of the national forest are suitable for timber management and are not classified as wilderness. According to the Lake County Conservation District-sponsored website about a proposed conservation forest project, <http://swanforestininitiative.org/>, national forest lands in Lake County increasingly show signs of significant forest health decline – the same decline that has resulted in hundreds of thousands of acres of forests dying in other national forests in western Montana. Per the Montana Department of Natural Resources and Conservation’s [webpage on federal forest management](#), “[The] pace and scale of active forest management, particularly timber harvest, has declined dramatically over the past 25 years in Montana, and the health of our national forests has suffered as a result. Montana is not alone in this fact; a number of factors, including the mountain pine beetle, climate change, slowed harvest and others have created new challenges in most western forests.”

It is Lake County’s position that the national forests provide important natural resources such as timber and other forest resources, recreational opportunities and wildlife and wildlife habitat. If these forests and resources are mismanaged and left to consumption by disastrous wildfires, countless acres are likely to be unacceptably degraded and non-renewable soils will inevitably erode and cause substantial declines in water quality. The loss of any natural resources provided by forests in Lake County harms the local economy and culture. With this growth policy, Lake County is adopting revised goals to conserve and promote timber resources and development patterns that protect unique natural assets while

Community Goal



Objective



Action



promoting efficient development. The various objectives and actions intended to meet these goals and the related objectives are found in Chapter 9.

Air Resources

According to the tribes, the Flathead Indian Reservation is a Class I airshed, with air quality monitored by the tribes. Wildfires regularly impact air quality in Lake County during summer months as local and/or regional wildfires burn. Road dust and agricultural activities can also impact air quality, albeit on a much smaller scale than wildfires during several of the more severe fire years in recent memory.

Sand and Gravel Resources

Sand and gravel resources are generally, but not always, located along streams, rivers, or areas where certain kinds of geologic events have occurred. Map 9 (Appendix B, page B-3) shows currently permitted open cut mines in Lake County. Sand and gravel are



One of Lake County’s gravel pits

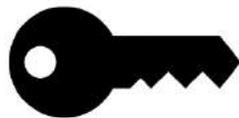
important construction materials which are intended to be utilized, particularly in areas where extraction and processing will not negatively impact nearby landowners and existing uses. Lake County’s land use regulations are minimal in terms of addressing extraction of sand and gravel resources outside some of the local zoning districts. At this time, Lake

County does not anticipate a need to increase restrictions on land uses like gravel pits. However, given the potential negative impacts sand and gravel operations can have on vulnerable aquifers, it should be noted that the Board of Lake County Commissioners has the ability to establish a district or regulation to address an emergency involving the public health, safety or general welfare through 76-2-206, MCA, which provides for interim zoning.

Water Resources

Lake County is situated at the southern end of the Flathead Basin, a watershed that drains approximately six million acres of northwestern Montana and southeastern British Columbia. Waters from this basin flow into the Clark Fork River and eventually into the Columbia River. The water resources are composed of surface and ground water, which feed and rely upon each other. The waters of the Flathead Basin play a

Key Issue



Flathead Lake from above its east shore

vital role in the lives of Lake County’s citizens and visitors. They support fish and wildlife as well as domestic, municipal, irrigation, stock watering, manufacturing, and recreational uses. As such, the economic welfare of Lake County and the peoples’ quality of life directly rely upon water.

The quantity and quality of the water in Lake County and the Flathead Basin remains high. However, there are ongoing and new threats and issues relative to 2003. The top issues surrounding water in Lake County include aquatic invasive species, with zebra and quagga mussels being the most threatening to the economic welfare of the county, uncertainties

regarding water rights amidst decades of adjudication, and in- and out-of-county threats to Flathead waters from hazards like oil-carrying freight trains travelling along the Middle Fork Flathead River that could derail and spill crude oil, as well as mining activities in Canada.

Because Lake County’s economic viability and way of life are so intimately tied to water resources, protection of water resources is a common theme in the goals, objectives and actions detailed in Chapter 9.

Community Goal



Objective



Action



Fish and Wildlife

Within Lake County are a large number of resident and migratory fish and wildlife species occupying a diversity of habitats. Fish and wildlife habitat falls under a variety of land ownerships in Lake County, including small tracts of privately owned lands, commercial timberlands, state and federal government lands and tribal lands. Fishing and bird hunting within the Flathead Reservation have been jointly managed by the tribes and Montana Department of Fish, Wildlife and Parks (FWP) since 1994. Both the tribes and FWP are active in research and monitoring fish and wildlife in Lake County.



Mission Valley pothole wetland, Mission Range

Fish

The fisheries in Lake County have been stable since



Cedar Lake Cutthroat Trout

2003, but recent concerns include the following:

- Bull Trout numbers in Swan Lake remain stable, but Lake Trout catches have increased, leading biologists to conclude that Lake Trout are a growing threat to Bull Trout populations in Swan Lake and other Swan Valley waterbodies.
- Lake Mary Ronan’s health is an ongoing concern. The lake continues to be the State of Montana’s source for kokanee salmon hatchery eggs and an asset to tourism and recreation in Lake County. A new concern however, is the 2014 discovery of northern pike, which are predator fish for kokanee salmon and therefore pose a threat to the fishery. Although a concern, it is noted that no discoveries of northern pike in Lake Mary Ronan have been reported since 2014.
- Aquatic invasive species can cause imbalance to all fisheries. Given the economic stronghold Flathead Lake provides, threats from AIS on Flathead Lake are of particular concern.



AIS sign

Wildlife

Lake County and the region are home to numerous big game species, carnivores, upland game birds, waterfowl, furbearers, and non-game species including raptors, migratory songbirds, amphibians

and reptiles. Certain game bird species are jointly managed within the reservation by the tribes and Montana FWP, while the Tribes exercise authority over all big game species.

Big game species include elk, moose, mule deer, mountain goats, bighorn sheep and pronghorn antelope (antelope exist in Lake County only at the National Bison Range). Elk and deer use forested habitats throughout the area, while moose occupy wetland and riparian forested areas. Bighorn sheep and antelope are found in the southwestern area of the Lake County. Mountain goats are found in the Swan and Mission Ranges.



Lake County whitetail deer

Due to the amount of rugged, wild country in the area, Lake County provides habitat for several large predators: black and grizzly bears, mountain lions, coyotes and wolves. Black bears and lions are distributed throughout the county. Grizzly bears may be found in and on the fringes of the Swan and Mission Ranges and often travel out into the Mission Valley by way of riparian corridors.

Wolves have made a comeback in Lake County since 2003. There are now resident wolfpacks in the Swan Valley, and wolfpacks in areas surrounding Lake County regularly venture into Lake County. The Confederated Salish and Kootenai Tribes have documented wolf activity on the Flathead Indian Reservation. According to the 2015 CSKT Wolf Management Plan, as of the summer of 2014, Tribal Wildlife Biologists observed wolf activity (observation reports, scat or tracks) in seven locations on the Reservation. These packs include a minimum of approximately 30 wolves, not including pups born during the summer of 2014 (Confederated Salish and Kootenai Tribes Wildlife Management Program, unpublished data, 2014).

Upland game birds include the introduced ring-necked pheasant, Hungarian partridge, wild turkeys,

and three species of grouse. The pheasants and partridges prefer grassland habitats, the turkeys, low elevation pine forests, and the grouse occupy pine, spruce and deciduous forests (CS&KT Comprehensive Resources Plan, 1996).

The U.S. Fish and Wildlife Service, the Tribes and Montana FWP all manage lands for waterfowl in the Mission Valley. Grasslands interspersed with pothole wetlands provide habitat for ducks, geese, hawks,



A Great Blue Heron along a Lake County shoreline

bald eagles, osprey, owls, songbirds, cormorants, great blue herons, small mammals and sport fish. The Swan River National Wildlife Refuge was established for migratory birds. In addition to birds, this refuge provides habitat for big game, black bear, and during the spring season, grizzly bears.

According to the Confederated Tribes' Comprehensive Resources Plan, there are 14 species of fur-bearers on the Reservation. The definition of a fur-bearer varies slightly between the state and the tribal agencies, but the species found on the Flathead Reservation would also be present in Lake County. These include: beaver, bobcat, coyote, fisher, long and short-tailed weasels, lynx, mink,

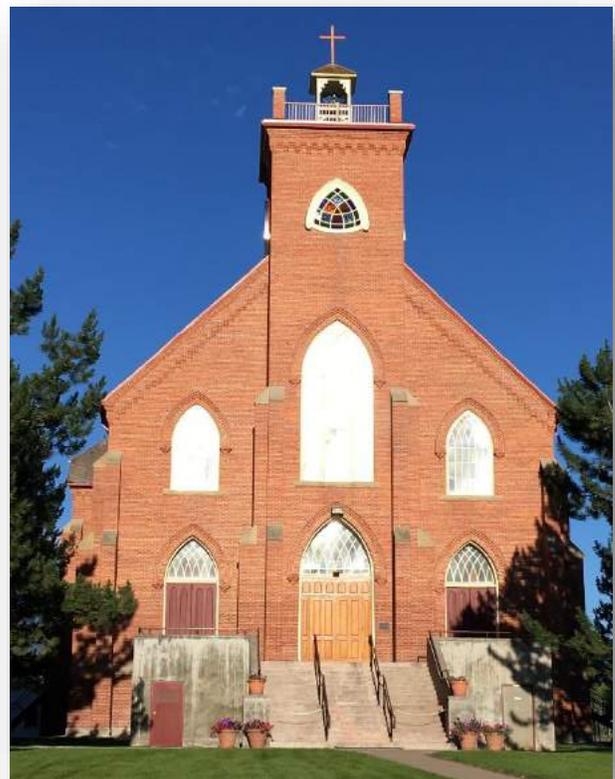
marten, muskrat, gray wolf, raccoon, red fox, river otter, and wolverine.

Cultural Resources



Elmo pow wow, courtesy of CSKT

State law for growth policies requires an inventory of natural resources, which this chapter provides. While a complete inventory of land based cultural resources (a term that includes historic resources) is well beyond the scope of a growth policy, for Lake County, the growth policy would be incomplete

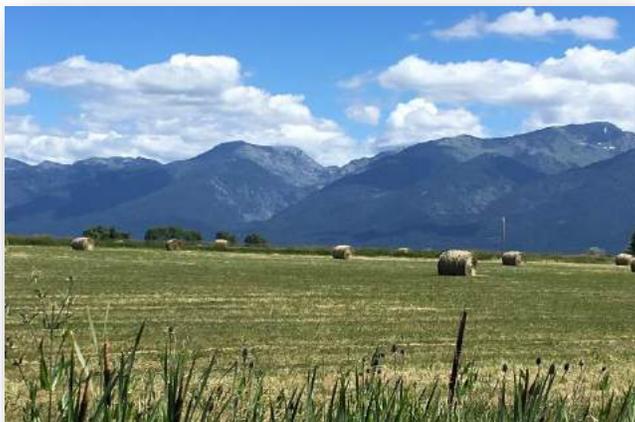


The St. Ignatius Mission



Flathead River, river honoring, courtesy of CSKT

without discussing the presence of cultural resources. Land based cultural resource inventories have been carried out by the Confederated Salish & Kootenai Tribes, as well as state and federal agencies. Inventories are frequently conducted prior to ground disturbing projects to locate and protect cultural resources. While certain areas of Lake County have been surveyed for cultural resources, no systematic county-wide inventory has been conducted. The Montana Historic Preservation Office and Tribal Cultural Preservation Office maintain databases for cultural and historic sites and inventories. What is found on any given inventory or site search is upon various entities' definitions and criteria, so simply put, cultural resources surround us. They are an integral part of Lake



Farming is part of the culture of Lake County

County, for residents and visitors alike. On the Flathead Indian Reservation, CSKT's Comprehensive



A sign marking the Fort Connah historic site north of St. Ignatius

Resources Plan, Volume 1 provides descriptions of cultural resources and tribal history. On and off the Reservation it must also be recognized that the



A game of "shinny", courtesy of CSKT

area's early settlers included white European trappers, traders, explorers, and missionaries. The cultural resources left as a result are a large contribution to Lake County's natural resources.

The implementation table in Chapter 9 includes specific actions Lake County intends to take to play its role in preserving and enhancing cultural resources. These actions include continuing to require cultural reviews of subdivision sites by CSKT, and/or Montana Historical Preservation Office, working with others to protect and enhance cultural sites, and supporting funding efforts to do so.

Chapter 7

Government, Services and Public Infrastructure



The Lake County Courthouse

Introduction

As a local government and political division of the state, the county has many roles. Lake County provides various local services as authorized by state law. The county only provides a portion of the various public services that residents and visitors in Lake County require and utilize. As such, it is crucial for Lake County to work with and coordinate with other governments of all forms.

On the topic of cooperative resources planning efforts, numerous governmental agencies develop land and/or resource use plans for various geographic or jurisdictional areas or resources or amenities in this region that affect our residents and resources.

To facilitate successful planning and implementation efforts, Lake County acknowledges the importance of participation in joint or cooperative planning efforts, with many governmental entities.

This may involve planning with single governmental entities such as a city or town, a state or federal agency, or tribal government. Similarly, larger planning efforts with multiple agencies cooperating to create a plan also occur and Lake County intends to participate as possible as a cooperating agency in these efforts.

Lake County will consider this growth policy and other policies and ordinances of Lake County and other entities in these planning efforts. These efforts should help achieve the goals and objectives of the Growth Policy.

Intergovernmental Coordination and Cooperation

Decision makers within the Lake County government routinely address issues that impact the facilities of local, state and federal agencies and tribal governments, and vice versa. These entities must work together to provide efficient and effective service delivery. The public water and sewer districts, the Montana Department of Transportation, the municipalities of St. Ignatius, Ronan and Polson, as well as the Confederated Salish & Kootenai Tribes, will all influence how the area develops in the coming years based largely on

how effectively the public is delivered services. The various agencies and governments plan, coordinate, and cooperate for the benefit of local citizens. Our ability to work together will determine whether we can maintain the unique qualities of the area as our communities grow and evolve.

Many areas exist where coordination can help serve the needs of the public. These include identifying and taking advantage of economic development opportunities, identifying and acting to meet housing and social service needs, developing cooperative land use policies, planning for the development of the US Highway 93 corridor, and reviewing projects and policies with the help of fire district personnel and natural resource experts. We intend to explore all of these areas over the coming years and will prosper as a result of open lines of communication, mutual respect and good will.

State law for growth policies states that a growth policy must include a statement of how the governing bodies will coordinate and cooperate with other jurisdictions that explains (if a county) how the governing body will coordinate and cooperate with cities and towns located within the county's boundaries on matters related to the growth policy. However, as discussed above, intergovernmental coordination must extend well beyond the county working with cities and towns – this section is intended to address intergovernmental coordination policies with other government units as well.

Municipalities

Polson

Lake County and the City of Polson have a city-county planning board and an established planning area around the city. The city-county planning board has been a successful conduit for communication and consistent land use decisions across jurisdictional boundaries. This arrangement could be used as a model for the development of future growth and service areas for St. Ignatius and Ronan. In 2009 the City of Polson initiated updates to the Polson Development Code (PDC), which includes subdivision and zoning regulations. Lake County planners worked with the city and a citizen committee to update the PDC in a manner beneficial to the City of Polson and Lake County. However, for

various reasons, in 2016 the City of Polson adopted a new PDC for the city area and Lake County did not adopt the updates, instead still using the 1993 PDC in the county’s jurisdictional area. Lake County recognizes the benefits provided to not only the City of Polson but also the general public in keeping development regulations for the area around Polson consistent with those of the city. There would be advantages to aligning compatible land use regulations in the Polson area if the two local governments can work together to achieve this.



Looking east at Polson

Ronan and St. Ignatius

Up until the mid-2000s Lake County provided land use planning services to the City of Ronan and Town of St. Ignatius. At this time each municipality has its own growth policy, subdivision regulations and zoning ordinance that applies to non-tribal fee status lands in their jurisdictions.

General strategy for coordinating and cooperating with the cities and towns

Lake County supports the municipal governments becoming self-reliant in terms of using internal

Cooperation



Coordination

planning staff or board members to review permit applications, as Polson has done for decades and as Ronan and St. Ignatius have more recently chosen to do. One result of this arrangement, removing the county staff role in Ronan and St. Ignatius, is it has reduced some communication that

previously existed amongst the county and all three municipalities on planning and growth policy issues. The Board of Lake County Commissioners and Planning Department staff should seek open communication with the municipalities on planning and growth matters, especially related to infrastructure and parks that residents seek and rely upon.

Until such time as other full written policies, memoranda of understandings, or interlocal agreements with more specifics are put into place to meet each of the governing bodies’ purposes and objectives, Lake County will follow the strategies outlined below in this section. Any future interlocal agreements will be made to accord to any applicable provisions of MCA Title 7, Chapter 11, Part 1, the Interlocal Cooperation Act.

Lake County strategies for coordinating with cities and towns:

- ✓ Setting aside a regular time and place for properly noticed gatherings between the members of the Board of Lake County Commissioners and municipal councils where formal or informal discussions can occur to deal with current and future issues. The pre-defined meetings should occur quarterly until a different arrangement is set.
- ✓ Providing the municipal governments regular updates from the Board of Lake County Commissioners on matters that relate to the municipalities. These updates should occur quarterly or bi-annually and be written or verbalized with at least part of the audience in mind being the city/town governments.
- ✓ When a proposed subdivision is situated entirely in an unincorporated area and lies within one mile of a third-class city or town, Lake County is required by state law (76-3-601, MCA) to forward a copy of the subdivision application and preliminary plat to the applicable municipal government for review and comment. All three municipalities currently meet the statutory definition of a “city of the third class” or a “town” (7-1-4111, MCA), but the City of Polson will become a second-class city when the city’s population reaches 5,000, at which time state law will

require the distance of applicable subdivisions to be extended to two miles.

The Polson City-County Planning Board will lead efforts to coordinate planning around Polson with assistance of planning staff. The County Commissioners intend to closely monitor and participate in those efforts.

Confederated Salish & Kootenai Tribes

Lake County’s coordination and cooperation with the Confederated Salish & Kootenai Tribes has seen mixed results over the years. Sometimes coordination has been productive, other times less so. The real and perceived successes of these communication efforts fluctuate from time to time, quite often based on who is in office and various relationships amongst leaders of both governments.



CSKT Tribal Complex, courtesy of CSKT

Overall, county relationships, coordination, and cooperation with the Tribes is of top importance to the Lake County Commissioners and to the public as indicated by the public outreach efforts during development of this growth policy. This relationship appears strained at times because policies of the local governments differ and because of sometimes competing interests. This being a county growth policy, the Lake County government notes that the county government is here to stay and wishes to always seek to improve relationships and cooperative efforts with the Tribes.

With that in mind, Lake County will continue to forward copies of all subdivision proposals on the Flathead Indian Reservation to the tribes for comment. The Lake County Planning Board, Polson City-County Planning Board and County Commissioners will respect and consider Tribal comments when making decisions on the development proposals. Lake County will continue to have a tribal representative as appointed by the Tribal Council serve on the Lake County Planning Board. Lake County will maintain open dialogue and a spirit of cooperation with the Tribes regarding the numerous issues of common importance.



The Lake County and tribal governments should strive to develop parallel or consistent land

use and development policies that effect tribal and non-tribal people and lands. Achieving a memorandum of understanding with the tribes or Bureau of Indian Affairs to attain the goal of consistent land use policies is a direction set out in this growth policy. In the meantime, the Lake County Commissioners will maintain an open-door policy with the tribes and seek ongoing communication. With that spirit in mind, Lake County intends to act as follows until full written policies are put into place to meet both governing bodies’ purposes and objectives:

- ✓ Setting aside a regular time and place for gatherings between the members of the Board of Lake County Commissioners and CSKT Tribal Council where formal or informal discussions can occur to deal with current and future issues. The pre-defined meetings should occur quarterly unless a different arrangement is set.
- ✓ Providing the tribal government regular updates from the Board of Lake County Commissioners on planning matters that relate to the tribes. These updates should occur at least annually and be written or

verbalized with at least part of the audience in mind being the Tribal government.

- ✓ Exploring written agreements to implement parallel regulations and policies on land use.

Finding ways to cooperatively develop future service and growth areas where relatively high-density and mixed-use development will be encouraged in communities where services can be provided efficiently and effectively, often using tribal services (such as water or sewer services).

Water and Sewer Districts

The Lake County government also intends to work with public water and sewer districts to help develop infrastructure so that it becomes cost-effective for developers to undertake projects in areas where growth can be effectively served. Imperative to this process will be to communicate regularly and productively to understand future plans as well as needs and shortcomings.



Federal government

About 17% of land in Lake County is in federal ownership, primarily that of the United States Forest Service (USFS) in the Swan Valley and northern Mission Mountains above the east shore of Flathead Lake north of the Flathead Indian Reservation. The United States Fish and Wildlife Service (USFWS) also owns and manages a considerable amount of land comprising the National Bison Range (NBR) and NBR Complex, which is comprised in Lake County of the bison range, Ninepipe National Wildlife Refuge, Pablo National Wildlife Refuge, and Swan River National Wildlife Refuge. However, beyond federal ownership and direct land management, the federal government makes decisions on federal lands outside of Lake County that can affect Lake County residents. For instance, Lake County sits at the headwaters of the Columbia River Basin, and management of this river basin can influence the future of Flathead Lake and other water bodies and ecosystems of significant local importance.

The National Environmental Policy Act (NEPA) requires federal agencies to consider the impacts of proposed actions prior to making decisions. A large component of NEPA is providing opportunities for

public review and comment on proposed actions. NEPA includes a provision that allows an agency such as a local government with special expertise on an issue or jurisdiction to participate in the NEPA process by assisting the lead agency by participation in the scoping process, developing information, and providing staffing support. In this way federal agencies give local governments a “cooperating agency” status. Montana state law allows local governing bodies to use a growth policy as a resource management plan for the purposes of establishing coordination or cooperating agency status with a federal land management agency. It is a goal of the Lake County Growth Policy to become a more active partner in the management of federal lands through achieving this status when appropriate.

Cooperating agency status will allow Lake County to participate in the NEPA process as a partner, improving access to federal agencies. The process to acquire this status requires Lake County to reach out in writing and explain the county’s areas of expertise. The federal agencies will involve Lake County on a NEPA review when they determine the county has expertise that will assist in the review. It is important to note that cooperating agency status does not mean the county will be involved in any day to day management of federal lands.



Local Services

Lake County, like many counties in Montana, has numerous local, state, and federal agencies providing services to its residents. The three incorporated municipalities of Polson, Ronan, and St. Ignatius provide administrative, police, code enforcement and public works services to their residents. The Flathead Indian Reservation overlaps with over two-thirds of Lake County, adding another government entity with multiple departments to the patchwork of governmental units. Any planning effort involving local services will require a strong intergovernmental coordination component to provide cost effective and responsive services while avoiding the duplication of programs.

A large issue that comes up in the financing of local services is that a significant amount of property in

the county is held in trust for the tribes or individual tribal members and is not assessed property taxes, which results in a more complex and limited tax structure. The local governments must provide services for tribal and non-tribal people regardless of the tax status of the land. As tax-assessed properties are transferred to tribal ownership or placed into trust for the tribes or tribal members, the remaining tax payers take on the difference in tax assessments, leading to greater challenges for the local governments to provide equal or increased services with limited tax revenues (Montana law assures counties that tax revenues will not decline from year to year, which results in higher taxes being paid by the remaining county taxpayers, assuming the county does not reduce or eliminate expenditures for services).

Law Enforcement/Jail Facility/Search and Rescue

Law enforcement in Lake County is provided by the Lake County Sheriff's Office (LCSO), the Montana Highway Patrol, the Flathead Tribal Police Department, and the three municipal police departments from Polson, Ronan, and St. Ignatius. These law enforcement units must work together on a day-to-day basis to protect public safety for county residents and visitors. The Lake County Office of Emergency Management (OEM) operates a dispatch center to dispatch most of the law enforcement, fire, and medical response units in the county, except for tribal organizations.

The LCSO provides law enforcement, animal control and emergency related services to the citizens of Lake County. The LCSO is staffed with 22 sworn officers. The Board of Lake County Commissioners is responsible for the county detention facility (jail), the administration of which is performed by the Sheriff's Office. The detention officers also transport prisoners between various facilities. The detention center currently staffs more than 30 civilian non-sworn personnel filling the positions of detention and support staff. The jail has 46 total beds, but typically houses 50 inmates a day, with a major backlog of individuals who owe the courts time in detention. In short, the jail is too small and requires expansion, or a new jail needs to be built.

County law enforcement services are enhanced by the Flathead Tribal Police Department and Montana Highway Patrol. Municipal police departments focus on law enforcement in their respective municipalities. All of these law enforcement agencies are part of the fabric of public health and safety services provided in Lake County.

The LCSO also oversees operation of the Lake County Search and Rescue unit and the Swan Mission Search and Rescue unit when these private organizations are called into service, which provide trained emergency response volunteer personnel available in the event of lost person incidents. The Lake County Search and Rescue unit has 40 active members, and the Swan Mission Search and Rescue unit has 16 active members.

The Sheriff's Office website now includes public engagement through the county website. For instance, its 2016 Annual Report, which this section's data was found, is on the county's website at <http://www.lakemt.gov/sheriff/PDF/2016%20Annual%20Report-final.pdf>

A major issue the Lake County government has been facing is with regard to Public Law 280, which provides for state assumption of jurisdiction of criminal felony offenses by tribal members on the Flathead Indian Reservation. This has meant that Lake County's detention center must house and the Attorney's Office must prosecute tribal members, a voluntary arrangement that has been in place since 1964. Lake County can no longer continue to fund the county's participation in this arrangement without addressing the costs associated with it. As such, the Lake County Commissioners are trying to find funding sources to continue the county's participation in Public Law 280.

In order to meet the goal regarding quality of life in Lake County to provide safe and healthy communities for residents and visitors, Lake County intends to address pressing issues related to the law and order system such as a court-ordered expansion of court rooms and judge's facilities, the need to improve the detention center facilities (which may result in new facilities) and as well as the impacts of substance abuse and mental health issues.

Condition



Key Issue



Medical Services

Lake County is served by two hospitals: St. Joseph Medical Center in Polson and St. Luke Community Hospital in Ronan. There are now multiple medical clinics serving Lake County, including Kalispell Regional Medical Center's Polson



St. Joseph's Medical Center in Polson

Health in Polson, St. Luke Community Healthcare's clinics in Ronan, Polson, and St. Ignatius, and St. Joseph Medical Clinic in Ronan. Many Lake County residents rely upon regional medical centers and services in surrounding service centers such as Kalispell and Missoula. Enrolled members of federally recognized tribes, spouses, and tribal descendants are often served by Tribal Health, which houses facilities in Polson, Hot Springs, Elmo, Pablo, Ronan, St. Ignatius, and Arlee. The Lake County Public Health Department, located in Polson, provides services such as immunizations, family planning, well child, communicable disease control, health promotion, tobacco prevention, and nutritional services.

Privately-owned ambulance services are provided by Polson and Ronan Ambulance Services in Polson and Ronan, Mission Valley Ambulance in St. Ignatius, Arlee Ambulance Services in Arlee, Hot Springs Ambulance in Hot Springs (Sanders County), and Lakeside Quick Response Unit in Lakeside (Flathead County). Bigfork Fire Department in Bigfork



(Flathead County) also provides ambulance services in northeast portions of the county.

Lake County can work to achieve the goal to provide safe and healthy communities for residents and visitors by supporting efforts of these service providers to identify needs and improve capacity and effectiveness. The county can do this by seeking or writing letters in support of grants and other federal, state and local funding sources to maintain and expand service capacities.

Education

Lake County is served by the following public school districts:



- Polson (high school and elementary; two elementary schools in Polson)
- Valley View Elementary
- Upper West Shore – Dayton Elementary
- Bigfork (high school and elementary)
- Salmon Prairie/Swan Lake Elementary
- Ronan (high school and elementary; elementary schools in Ronan and Pablo)
- Hot Springs (K – 12)
- Charlo (high school and elementary)
- St. Ignatius (K – 12)
- Arlee (high school and elementary)

There are also a number of private schools throughout Lake County that serve elementary through high school aged children. Please see: <http://www.lakemt.gov/schools/Private.html>

Two Eagle River School in Pablo is the alternative school of the Confederated Salish & Kootenai Tribes of the Flathead Reservation, which provides eighth grade through high school education opportunities for tribal students.

As of 2015 total public school enrollment in Lake County stood at 4,295, a number that held steady compared to numbers from a decade ago. In addition to public school students there are more than 500 home school and private school students, a number which also tends to be relatively steady. Lake County maintains historic student enrollment figures at:

<http://www.lakemt.gov/schools/pdf/Enrollment%20history1.pdf>

Salish Kootenai College (SKC) in Pablo is the only college with a campus in Lake County. According to SKC's website, most (58%) SKC students are tribal members, but 15% are tribal descendants, and Caucasians and other races comprise 26% of enrollment. The college offers a wide variety of one-year certificates, two-year associate degrees, and four-year bachelor degrees.

Most Lake County residents who pursue college education leave the county to do so. Flathead Valley Community College in Kalispell and the University of Montana and Missoula College, both in Missoula, offer college degrees within a fairly short distance to Lake County. There is however an increasing world-wide trend that more online advanced education is available, allowing increased potential for Lake County residents to become online students and remain residents of Lake County.

Power

Mission Valley Power (MVP), headquartered in Pablo, is a federally-owned utility that is operated under contract by the Confederated Salish and Kootenai Tribes. MVP provides electricity to all of Lake County within the Flathead Indian Reservation, as well as the Proctor to Lake Mary Ronan areas. The utility owns the power distribution network and relies on multiple power sources including the former Kerr Dam, now called Seli'š Ksanka Qlispé', located on the Flathead River and operated and managed by Energy Keepers, Inc., a Tribally owned corporation. Missoula Electric Cooperative serves the area in south Swan Valley while north Swan Valley and the area north of Dayton and the Rollins area are served by Flathead Electric Cooperative.

Telecommunications

There are three independent local telephone companies that provide service in Lake County. CenturyLink is based in Kalispell and serves Polson plus the area to the north, including the northern Swan Valley to south of Swan Lake. Ronan Telephone Company serves the Ronan and Pablo exchanges while the Blackfoot Telephone Cooperative in Missoula serves Charlo and communities south of Charlo as well as the southern Swan Valley/Salmon Prairie area. All three

companies have digital networks and advanced services such as high-speed data services available.

Digital wireless terrestrial phone and data service is provided by Verizon, AT&T, and other providers. Digital wireless services are available throughout most of Lake County, with the exception of some "dead zones" where digital services are not available, and phone services are poor or unavailable. The vast majority of developed areas of the county have wireless services available.

Many wireless communication towers have emerged to serve the growing wireless market since 2003. The 2003 Growth Policy acknowledged that wireless communication towers can be met with hostility if they are located in residential areas. Lake County and Polson adopted the first wireless communication facility ordinance for the Polson Master Plan area in 2002. The 2003 Growth Policy stated Lake County will develop a similar wireless communication facility ordinance for the unincorporated areas in the near future in order to allow this economically and technologically important service to grow while limiting its impacts to area residents and visitors. It is unclear whether such an ordinance is still necessary given the fact that the majority of Lake County is well served by wireless communications facilities, although it should be noted that service providers seem to continue to expand their networks with new facilities.

Satellite internet services are available in some areas of Lake County, but these services are dependent upon availability of technologies locally by networks such as Dish and DirectTV. Cable television is available in areas such as Polson, Pablo, Ronan, St. Ignatius, and Arlee. Access to satellite networks such as Dish and DirectTV are available throughout Lake County, including where cable television services are not available, making access to television services an uninhibiting factor to growth. Likewise, as telephone and internet services become more readily available in remote areas, the less growth is inhibited by unavailability of the landline networks. However, access to high speed networks does seem to limit where certain types of residents and businesses are willing to locate.

Public infrastructure

According to state law, a growth policy must include a strategy for development, maintenance, and replacement of public infrastructure, including drinking water systems, wastewater treatment facilities, sewer systems, solid waste facilities, fire protection facilities, roads, and bridges.



Recent sewer construction in Polson

Capital Improvements Plan (CIP)

In 2002 Lake County adopted its first Capital Improvements Plan (CIP). The current 2017 version of the document (also referred to as a Community Infrastructure Plan) is for fiscal years 2016-2021, so it is still in effect and is incorporated into this growth policy by reference.

The CIP is Lake County's primary strategy for developing, maintaining and expanding public infrastructure. The latest CIP focuses on transportation infrastructure (county roads, bridges and culverts) and road department equipment, weed department equipment, parks, solid waste facilities, water and sewer district infrastructure, and courthouse infrastructure. The CIP does not entirely cover elements required by state law for growth policies, specifically in terms of providing a strategy for development, maintenance, and replacement of public water system infrastructure, wastewater treatment (sewer) facilities, and fire protection facilities. In other ways, the CIP goes beyond those

Strategy



minimum requirements of state law by addressing weed department equipment, courthouse and detention center infrastructure. This growth policy therefore intends to fill in the gaps, primarily to address the need to include a strategy for development, maintenance, and replacement of water, sewer, and fire protection facilities. In addition, it is Lake County's strategy to update the CIP on a regular basis to continually measure conditions and priorities, and in-turn better address current and future needs.

Water Supply and Wastewater

Treatment Systems

Most residents of the Lake County jurisdictional area use individual on-site private wells and wastewater treatment systems. Many county residents along lakes and streams use surface water sources for domestic water. Ground water is sufficient in availability and quantity in most developed areas of Lake County, enabling homeowners to develop comparatively cost-effective individual water supply systems. The Lake County Environmental Health Department administers the county's wastewater treatment system permitting program, which provides for on-site sewer systems to treat wastewater on fee lands in county jurisdiction.

The cities of Polson and Ronan and the town of St. Ignatius have municipal water and sewer systems. Those entities have the jurisdictional authority to levy taxes and sponsor grant and loan applications related to improvement of their public facilities. The Town of St. Ignatius, which serves approximately 700 residents, recently upgraded its water system but is lacking storage capacity to address fire flows. The City of Ronan, which serves approximately 2,350 residents, recently upgraded the water system and added storage to address fire flows. The final phase of the upgrade of the water system will address treatment of the water and was set to be completed in 2017 (as of adoption of this growth policy, work continues). The City of Polson, which services approximately 5,000 residents, completed looping of water mains in the downtown portion of the City of Polson and drilled a new well that is in the process of being added to the water system; the 2016 Polson Growth Policy states there is enough water to meet current and future demands. The city is in the process of upgrading the wastewater treatment

system, and a new plant is anticipated to be in operation in 2018.

The unincorporated area of Charlo has a water and sewer district that serves approximately 450 residents with water and wastewater services. The district drilled a new well in 2005 and has the capacity to serve additional residential units but the water rights service area is currently limited to the existing district limits. The sewer system has been upgraded since 2003. Charlo is an area of opportunity for efficient growth with developable land adjacent to the current water and sewer district service area. Based on potential impacts to public health and safety and the potential to bring new residents to the community where services exist, supporting the water and sewer district is a high priority for Lake County.



Charlo water tower

Portions of the unincorporated area of Woods Bay are served by the Greater Woods Bay Water and Sewer District, which was recently formed from the previous Woods Bay Homesites Water and Sewer District and the Sheaver's Creek Water and Sewer District. The district completed an upgrade to the water system in 2010 and now provides water to approximately 700 residents. The district has additional capacity to add new water users. The district does not own or operate a public sewer system, and there are no immediate plans for a community wastewater system.

The Pablo Water and Sewer District serves approximately 2,075 residents with 600 water service connection hook-ups. The district is in need of additional water storage capacity. The district has a high percentage of low to moderate income residents and the area provides many affordable housing opportunities. According to the 2017 CIP, recent water system upgrades will provide for better water flow, allow for more users on the system, result in fewer wells in a vulnerable, near surface aquifer and provide a significant growth

management tool. The system engineer has indicated the water and sewer systems can accommodate additional growth.

In 2004, the Arlee Water and Sewer District completed installation of a public sewer system that serves the community of Arlee. Lake County is unaware of whether there is additional sewer capacity for new connections. A number of water systems in the community are considered public systems due to the number of users served by them, but the local demand for a public water system that could serve the overall district isn't high because the shallow aquifer readily provides water at low costs. Nevertheless, the community could benefit from a public water system due to the added protection of the shallow aquifer that would be provided if fewer wells were drilled in the future and if existing wells were properly abandoned.

According to the Confederated Salish and Kootenai Tribes, CSKT maintains four public water systems in the Arlee area, and 17 other community sewer and/or water systems in Lake County, providing services for non-Indians as well as tribal members. Capacities of the tribal systems and the ability to serve additional county residents are determined on a case-by-case basis.

Strategy for development, maintenance, and replacement of public water/sewer infrastructure

All managers of public water and sewer systems in Lake County must continually monitor, maintain, and make improvements to the systems to address regulatory requirements by the Montana Department of Environmental Quality or the Environmental Protection Agency, and simply to maintain a level of service acceptable to the public. These



managers include the three municipalities as well as water and sewer districts, which in most instances are county entities. Day-to-day maintenance of county-managed systems is funded primarily through service fees. Money for improvements can come from grants, through public investment or via loans, or at costs to the taxpayers and users.

The Lake County government is in full support of public water and sewer facilities for many reasons

including the benefit to public health and safety, the efficient expenditure of homeowner dollars, and the ability to direct growth so that cost effective services of all kinds may be provided to the public. According to the CIP, in order to encourage the formation of new water districts and to aid those already in existence, the Lake County government will take the following steps:

1. Aid all current water and sewer districts in their facility upgrade efforts by writing letters of support for grants and other efforts, and providing other services as appropriate.
2. Monitor information regarding surface and subsurface water quality trends in areas where public water and sewer facilities may someday be needed due to threats to human health and safety.
3. Provide guidance to early-stage water and sewer districts and encourage the formation of new ones where appropriate.
4. Update the CIP on a regular basis to measure priorities and address current needs.
5. Administer grants as appropriate.

Fire protection facilities

Lake County is served by 14 fire districts (see Map 10, Appendix B, page B-4). These fire districts and departments include:

- Arlee Rural Fire District
- Bigfork Rural Fire District
- Charlo/Moiese Rural Fire District
- Chief Cliff Fire Service Area
- Ferndale Rural Fire District
- Finley Point Rural Fire District
- Hot Springs Volunteer Fire District
- Polson Rural Fire District
- Polson Volunteer Fire District
- Rollins Volunteer Fire District
- Ronan Rural Fire District
- St. Ignatius Volunteer Fire District



- Swan Lake Rural Fire District
- Swan Valley Fire Service Area

CSKT’s Division of Fire also responds to fires within



Polson Rural Fire Department’s Big Arm station

Lake County, augmenting services provided by the organizations listed above.

The fire districts, fire departments, and service area organizations listed above are established by county and municipal governments, but day-to-day management does not occur at the county level. The county has limited ability to substantially address the development, maintenance, or replacement of fire district infrastructure. Lake County’s strategy for this is instead to support efforts of the local fire districts to manage their public infrastructure opportunistically. For example, Lake County may be able to provide assistance in researching grant sources and writing grant applications for funding equipment, training and implementing projects.



These fire districts rely upon water system infrastructure of the municipalities and water and sewer districts. In some instances, such as the Arlee, Big Arm, and Pablo fire stations, the fire stations rely on land donated by the CSKT or provided by the tribes for minimal cost.

By taking intergovernmental coordination steps to improve and better manage those facilities, Lake County will be supporting public infrastructure used

by the various fire departments.

Other opportunities for fire district related infrastructure planning at the county level include requiring infrastructure needed by fire departments to serve subdivisions to be installed or otherwise provided by developers during subdivision review, or creating rural improvement districts to fund equipment, facilities or water supplies.

Solid Waste

The Lake County Solid Waste District (LCSWD) serves all of Lake County and parts of Sanders County, with approximately 30,000 residents in addition to government offices, businesses, agricultural and industrial operations.

Condition



The LCSWD's primary facility is the Lake County Transfer Station along Reservoir Road between Polson and Pablo. The LCSWD built the transfer station in 2003-2004 to provide waste disposal for the county in anticipation of the closing of the landfill on Kerr Dam Road. Waste hauled from the transfer station and rural container sites is disposed of at the regional landfill in Missoula.

LCSWD continues to operate the landfill on Kerr Dam Rd as a construction and demolition waste site. The landfill has been in operation at its current location since 1979. Originally operated as a solid waste site, the site was expected to close in 2004. However, between the construction of the transfer station and the restriction of materials sent to the landfill to only construction and demolition waste, the life of the landfill has been extended. In September 2016, Lake County was approved to expand the construction and demolition waste area and fill on top of previously closed portions. Based on engineering estimates, this expansion has years of life expectancy at the current acceptance rate, but variations in the rate of acceptance will affect the actual remaining life, which is therefore not known. Once the landfill is closed all construction and demolition waste will have to be transported to the regional landfill in Missoula, along with the municipal solid waste already taken there.

LCSWD also operates an inert waste landfill (wood products, concrete, etc.) next to the transfer station and seven rural collection sites spread throughout

the county. LCSWD's recent recycling program operates at the transfer station with four public recycling drop-off sites in Ronan, Pablo, Proctor, and Polson. LCSWD recycles motor oil, antifreeze, tires, scrap metal, some electronics, automotive batteries, cardboard, newspaper, mixed paper, aluminum cans, tin cans, and plastics. Other communities are requesting LCSWD to bring recycling to their areas as well. Composting of yard waste and other organic wastes at the landfill continues.

The LCSWD principally collects service fees via property tax statements issued in Lake County and as collected for disposal of materials. The current annual fee of \$135 per family residential unit was established in 2004. According to the 2017 CIP this fee needs to be increased to meet increased operating expenses. Because the landfill is located within the exterior boundaries of the Flathead Indian Reservation, many residents and tribally-owned enterprises are located on trust land, where taxes are not assessed. The Salish-Kootenai Housing Authority does pay for solid waste disposal services on approximately 455 housing units. To pay for waste disposal services at homes not covered by



Lake County Transfer Station

SKHA, the LCSWD directly bills some nontaxed parties. Unfortunately, Lake County is unable to determine all the non-paying parties and therefore cannot collect all appropriate fees needed to operate.

The LCSWD is required to provide financial assurance for both the costs of closing the landfill and for 30 years of post-closure care. The Montana Department of Environmental Quality has given interim approval for a closure plan for the landfill. Based on the project engineer's most recent cost assessment, the amount required for closure is approximately \$654,000 and post-closure treatment is expected to cost approximately \$510,000. The LCSWD currently maintains two funds for these expenses. The current balances of the funds are insufficient to cover the projected costs. An additional \$100,000 will be needed to cover the estimated shortfall.



Solid Waste capital improvements projects over the next five years are detailed and strategized in the CIP. The costs for this strategy are to be considered and covered by the yearly county budgets, which are set on an annual basis.

Strategy



Public Transportation Facilities

State and federal highways

US Highway 93 is a north-south route through the spine of Lake County that connects regional population center Missoula and Interstate 90 to the Flathead Valley and Glacier National Park. Montana Highway 35, on the east and opposite side of Flathead Lake from US Highway 93, is part of Montana's primary highway system. Montana Highway 83 runs north-south through the Swan Valley, which is part of Montana's primary highway system. The state secondary highway system in Lake County includes Route 352 (Lake Mary Ronan Road) west of Dayton, serving Proctor and Lake Mary Ronan; Route 212, serving Charlo, Moiese, and the National Bison Range and connecting the Mission Valley to Dixon and MT Highway 200; Route 211 (Round Butte Road) west of Ronan; Route 354 (Back Road) south of Polson, which now offers a secondary connection between the communities of Polson and Ronan; Montana Highway 28, which connects US Highway 93 at Elmo to the Hot Springs area and beyond; and Montana Highway 209, which connects MT Highway 35 to Highway 83 through Flathead County. The county, municipal and tribal road networks feed into these highway systems. The Montana Department of Transportation (MDT) is

responsible for maintenance and improvements of the state highways in Lake County.

Recent improvements to US Highway 93 have occurred from Polson to north of Ronan and from north of St. Ignatius south to and beyond the south county line. MDT is in the later design phases of the last segments of US Highway 93 improvements, which are expected to extend from just north of Ronan to approximately 4-miles south of Ronan. The 2003 Growth Policy identified US Highway 93 corridor planning as a goal. This was intended to address the proliferation of advertising signs and commercial strip development. It was planned to be undertaken in partnership with the Confederated Salish and Kootenai Tribes but was not completed.

In 2011, a Pre-NEPA/MEPA Corridor Study was completed for US Highway 93 in the Polson area for Lake County, the City of Polson, the Confederated Salish and Kootenai Tribes and the MDT. The focus of the study was to determine whether an alternate route around Polson or use of the current corridor should be considered and what route would be preferred. The final recommendation did not include an action plan.

Municipal streets

The streets in the municipalities of Polson, Ronan, and St. Ignatius are maintained by the respective municipalities and state MDT on the state highways through the cities/town.

County roads, bridges, and culverts

The Lake County Road Department is responsible for maintaining approximately 1,100 miles of county roads, over 150 bridges, and hundreds of culverts. These include hundreds of miles of rural county roads of various materials, as well as roads in the more urban settings of communities like Pablo, Charlo, Arlee, Big Arm, Elmo, Dayton, and Woods Bay. Since adoption of the 2003 Growth Policy, fuel and asphalt costs have continued to increase, thus increasing maintenance and road construction costs, while regular traffic and weight-bearing traffic have increased, diminishing the roads and adding necessary maintenance needs. Lake County has not been in any position to accept new roads since 1997; therefore, new roads in county subdivisions are required to be privately maintained.

Since 2003, the Skyline Drive improvements in Polson were a large part of a cooperative \$12 million project funded by the federal TIGER grant program that took years of intergovernmental efforts to complete, which reconstructed the county and City of Polson street facilities to also include a pedestrian pathway. The grant funds were awarded in 2011 and the majority of the project was completed in 2012 through 2013.



Skyline Drive in Polson

In 2015, the Lake County voters approved a one-time special levy to purchase replacement equipment for county road maintenance. Being a non-perpetuating levy, it addressed immediate needs to provide acceptable county maintenance at the present time, but future funding remains uncertain. Without addressing future revenue streams for road maintenance, county roads and equipment are expected to deteriorate with continued and increased use.

The CIP includes a 5-year plan for rehabilitation, reconstruction, and major maintenance plans for

over 100-miles of county roads and three bridges totaling just over \$1.7 million, but this is a small fraction of the county road and bridge network. Given that the life of this growth policy is 20 years, other strategies for rehabilitation, reconstruction, and major maintenance projects for the other ±1000 miles of county roads, bridges and culverts must include updating the CIP every 5-years to ensure immediate plans appropriately react to county transportation facilities needs, facilitating and administering special improvement districts, and being opportunistic with federal, state, and local funding opportunities. The Lake County Commissioners must also consider the expected age of road improvements in light of short term costs.

Non-motorized Transportation

Lake County’s transportation system is still largely auto-oriented as a whole, but many bike and pedestrian facilities have been developed recently, increasing non-motorized transportation opportunities in several areas. There is now an off-street path extending south from Polson along US Highway 93 through Pablo and within one-mile of the north edge of Ronan, where the path terminates at the US Highway 93/Baptiste Road/Spring Creek Road intersection. MDT plans to extend the path to the south end of Ronan as a part of a future improvement project. This will connect to the recently-built sidewalk along Timberlane Road southeast of Ronan. MDT also built a path along Highway 35 near the south shore of Flathead Lake from Polson to Ducharme Landing, a fishing access site. Another path was constructed in the summer of



Walking path along Highway 93 near Big Arm

2013 along Highway 93 south of Arlee. These paved paths parallel the highway, and are open to foot and bicycle travel. There is an off-street path along Highway 93 from Big Arm to Big Arm State Park, and others exist along Round Butte Road and in St Ignatius. During development of the Lake County Parks and Trails plan, the public voiced strong support for development and maintenance of off-street pathways. There are extensive backcountry trails through public lands and Tribal lands.

Airports

Lake County is home to three airports that are part of the federal National Plan of Integrated Airport Systems (NPIAS): the Polson Airport, the Ronan Airport, and the St. Ignatius Airport. These three airports are owned by the respective municipalities and Lake County, and the Lake County Joint Airport Board oversees operation and maintenance. These public airports each have paved runways that are used for private airplanes. Polson has charter service available, but overall, these airports don't provide a substantial public transportation option either within or in and out of Lake County. The nearest airports with commercial services are in Missoula and Kalispell. Nevertheless, these public assets need to be considered with the growth policy, both in terms of how they affect and limit growth, and how they will be protected and funded as the communities grow in their vicinity and come to rely upon to serve local air transportation needs. General aviation airports provide vital aeronautical functions



Ronan Airport

-serving the public interest including emergency response, critical community access, personal and business aviation, as well as commercial, industrial and economic activities.

In 2006 after the Montana Airport Zoning Act was repealed and the state legislature adopted the Airport Compatibility Act, the Joint Airport Board contracted with an engineering firm to draft Airport Affected Area Regulations for the Polson and Ronan airports. The area around the Polson Airport had been regulated by a zoning overlay district of the Polson Development Code, but the Ronan Airport had no surrounding land use controls. The Ronan Airport Affected Area Regulations were adopted by the City of Ronan and Lake County, effective January 1, 2013, and the city and county planning departments administer the programs. The Polson Airport continues to be regulated by some zoning regulations within the city and county Polson Development Codes. Draft Airport Affected Area Regulations for the St. Ignatius Airport were considered by Lake County in 2014, but after considerable public contention, the Joint Airport Board shelved the draft.

The Polson Airport recently completed an airport layout plan update (ALP) and it was determined that the development of the Polson Airport would focus on infill of existing areas and that future growth would need to be fulfilled in other locations. The Joint Airport Board states it will explore options to expand the Ronan Airport to meet needs which the Polson Airport cannot. As such, a draft Airport Master Plan for the Ronan Airport was drafted in 2016, which has not yet been through the full public review and adoption process.

Public Transit

Typical commuters in Lake County drive a vehicle to and from work or school and there are no general service public transit systems within the communities or Lake County, although there are options available. The Missoula Ravalli Transportation Management Agency (MRTMA) currently operates a vanpool that travels routes in Missoula County, Lake County, and Ravalli County based on participating user times and locations. The Lake County Council on Aging and the Tribal Aging services offer para-transit services where users can call for transportation for meals, shopping,

or medical appointments.

The Confederated Salish & Kootenai Tribes operate a public transit system in the Reservation portion of the county, and also offer a daily bus route through Lake County from Whitefish to Missoula. Greyhound runs through Lake County along US Highway 93 on a regular basis with connecting routes in Missoula and Kalispell. Salish & Kootenai College operates a shuttle bus from towns within Lake County.



CSKT Transit Van

Rail

The only active rail line in Lake County is operated by Montana Rail Link and parallels US Highway 93 between the west county line at Ravalli and the south county line south of Arlee. The track offers rail service for cargo only. A spur line owned by Montana Rail Link extends from this line in Dixon in Sanders County north to Polson, but the line hasn't been active since the closing of the Plum Creek mill in Pablo in 2009, and has since served as storage in the Moiese/Charlo area.

Other Public Facilities

Parks

The recreational amenities as a whole in Lake County are unprecedented. Lake County contains all types of recreational facilities, including small, county-owned and managed parks and municipal parks owned and managed by Polson, Ronan, and St. Ignatius, which are used by county residents who live outside the cities.



Charlo ball game

In 2014, Lake County adopted a Parks & Trails Plan as an addendum to the Lake County Growth Policy. This plan relied upon a high level of public input and field work, is still very recent, and provides for goals, objectives, policies and recommendations specific to parks and recommendations at a level beyond the scope of a typical county growth policy. Therefore, it is Lake County's intent to incorporate the 2014 Parks & Trails Plan into this growth policy by reference. In striving to achieve the goal to provide safe and healthy communities for residents and visitors, a top objective is to implement the Lake County Parks and Trails Plan with the actions outlined in Chapter 9.

Community Goal



Objective



Action



Fairgrounds

Lake County manages two properties known as fairgrounds properties: the Ronan facility that hosts the yearly Lake County Fair, and the Polson facility that hosts other events.

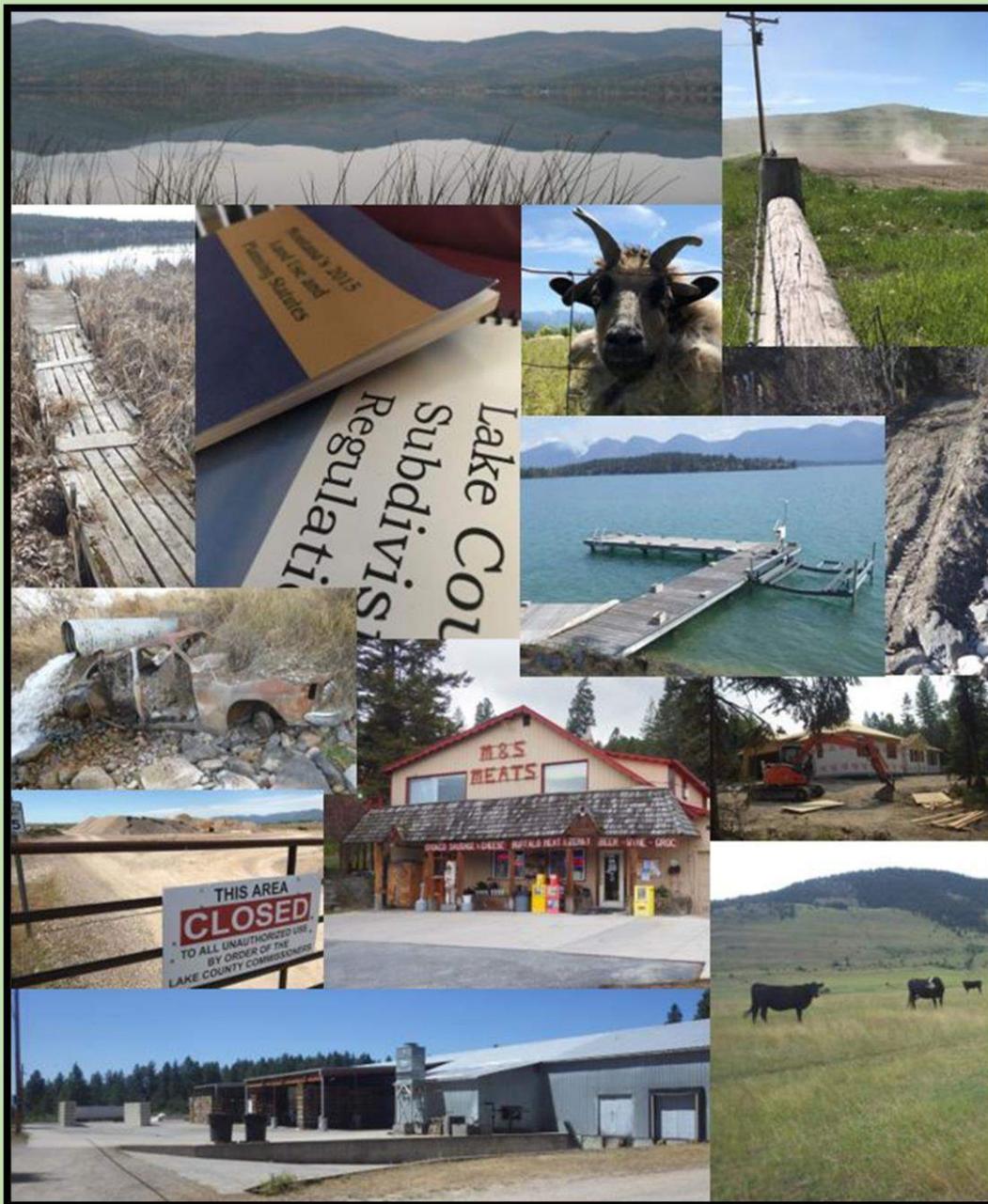
The county fairgrounds property on the north side of Ronan next to Ronan High School hosts the Lake County Fair every year during mid-summer and other community/agricultural activities throughout the year. The current facilities include a rodeo grounds and warm-up arena used for livestock activities, and five outbuildings. Three of the buildings are connected and are used for livestock exhibitions during the county fair. A fourth building

is used as space for horticulture exhibits, and is currently being remodeled for year-round community activities. The fifth building is a kitchen-equipped concession stand designed to support concurrent events on the grounds. The fairground facilities are fully equipped with electrical power and water/sewer, and can accommodate large events, such as concerts.

The Polson fairgrounds facility along the west side of the Flathead River currently provides recreational facilities for rodeos, concerts, and other events. The site is an ongoing focus of future plans and is addressed in the 2014 Parks & Trails Plan.

Chapter 8

Land Use, Development and Local Regulations



Introduction

The Flathead Indian Reservation overlaps with approximately two-thirds of Lake County. Federal and state-owned timberlands cover much of the rest. The various ownerships and jurisdictions play a large role in historic, current and future land uses in Lake County and limit the county's land use planning authority across much of the area.

Lake County asserts land use planning jurisdiction over land within the county's boundaries that is outside of municipalities and not owned by the tribes or the federal government.

Key Issue



County jurisdiction over state land varies according to state statutes and local regulations. This complex system of jurisdictions presents challenges to effective land use planning and community development efforts across Lake County. Chapter 7 contains a section for *Intergovernmental Coordination* that addresses how Lake County approaches the issues related to the different jurisdictions and how the county coordinates with the municipalities and tribes on local planning issues. This chapter explains Lake County's land use regulations and other county planning efforts for future land uses and development.

This growth policy also intends to acknowledge the balance that the county must often strike between individual property rights and the rights of area property owners, the local community and the public. Likewise, the county must attempt to strike a balance between land use and development proposals and other factors like the economy and the natural environment.

Current Regulations

Lake County has a long list of regulations that are currently used to implement the goals and objectives of the growth policy. Many regulations are long overdue for minor updates or major revisions. With this growth policy, Chapter 9 includes several implementation actions that state certain regulations are to be updated or revised to meet the goals and objectives.

Condition



This section is intended to provide a current description of land use regulations and other planning-related regulations that are currently in place.

- ✓ Wastewater Treatment System Regulations (last updated 2015)
- ✓ Subdivision Regulations (current version: 2010)
- ✓ Buildings for Rent or Lease Regulations (adopted 2017)



Buildings for Lease or Rent Regulations were required due to new state laws in 2013

- ✓ Floodplain Management Regulations (current version: 2013)
- ✓ Lakeshore Protection Regulations (current version: 2001, with minor revisions in 2014)
- ✓ Ronan Airport Affected Area Regulations (adopted 2013)
- ✓ Zoning Regulations, including:
 - Polson Development Code in Polson City-County Planning Area (adopted 1993; multiple map and minor text revisions since 1993)
 - East Shore Zoning District and Regulations (adopted 1991; last amended 2008)
 - Finley Point Zoning District and Regulations (adopted 1991; last amended 2013)
 - Historic Kootenai Lodge Zoning District and Regulations (2007)
 - Kings Point Zoning District and Regulations

(adopted 1987)

- Lower Bug Creek Zoning District and Regulations (adopted 1997)
- Lake Mary Ronan Zoning District and Regulations (adopted 1997)
- Masumola Zoning District Zoning District and Regulations (adopted 2000)
- Melita Island Road / Labella Lane Zoning District and Regulations (adopted 1986)
- Merritt Ranch Zoning District and Regulations (adopted 2014)
- South of Ronan Area Zoning District and Regulations (adopted 1974)
- Stone Ridge Estates Zoning District and Regulations (adopted 2004; last amended 2007)
- Swan Sites Zoning District and Regulations

(adopted 1994; last amended 2006)

- Upper West Shore Zoning District and Regulations (adopted 1994; last amended 2013)

Keeping these land use regulations updated to keep up with changing times and context has proven challenging to say the least, but certain regulations are mandated by state law, and others have been found necessary to protect public health, safety and welfare, as well as to promote sound community planning. Lake County must regularly prioritize updates to adjust to changing conditions and based on staff resources.

Land Use Classifications

The Montana Department of Revenue's tax classifications provide an overview of the different types of land uses in Lake County. The classifications identify residential, commercial, industrial, agricultural, vacant, exempt (non-taxed), and other uses. Map 11 (Appendix B, page B-5) shows the land use mix in Lake County based on these land classifications.³ As the map shows, Lake County is dominated by exempt lands (primarily tribal and federal land) while the Mission Valley has many agricultural/ farmstead uses. Commercially-valued properties are primarily within the municipalities and communities like Pablo and Arlee, as well as along major highways in relatively close proximity to communities.

Map 11 does not distinguish between different types of tax exempt properties, and therefore tribal, state and federal lands appear the same – these parcels receive the same grey color due to their exempt status, although various land uses may occur on these parcels. The map is useful for information on land uses on parcels on a county wide basis that are assessed by the Montana Department of Revenue, primarily overall distribution of major land use classes.



The Lake County Subdivision Regulations work in conjunction with state planning statutes

³ Several land classifications were combined to simplify categories – e.g. residential rural and residential urban.

Conditions

Conditions are significantly different in the county since 2005; the volume and sizes of developments are now lower and few major subdivisions have been proposed in the past five years. The volume of



subdivisions may have been limited to some extent by the DMR's, but with the downturn in the economy and associated land development soon after 2008, much of the reduction in subdivision volumes can be attributed to economic factors. In the window between 2005 and 2008, there were certain subdivisions that resulted from the vision clearly laid out by the DMR's, with large, dense subdivisions in the Community Growth Areas, and subdivisions that were intended to capitalize on mid-range density designations, such as 5- and 10-acre density areas.

At this time there is not a shortage of residential subdivision lots in Lake County. Residential lots are available in and around the county's population centers, and rural tracts are on the market throughout the county. Additionally, there have been other subdivisions proposed, but not pursued or phased in over a significant number of years, due to the abundance of lots already on the market. However, there may be an imbalance between availability of vacant lots, prices relative to average county residents' income, and construction costs. Thus, the needs for affordable and workforce housing is significant.

The short term fate of the Density Map and Regulations was at the forefront of the present 2018 Growth Policy rewrite as it has been a major discussion point since adoption in 2005. The Lake County Commissioners originally considered repealing the DMR's in 2016, but opted to keep the DMR's in place with the goal of soliciting additional public comment prior to another vote on the Resolution of Intent to Repeal. Another vote was never taken on the 2016 Resolution of Intent to Repeal.

The Commissioners and Lake County Planning Department have received significant public comment since repeal was considered in 2016. While the majority of comment has been in favor of keeping the DMR's as regulatory documents, there

has been significant comment promoting repeal. In April 2018, the Commissioners made the final decision to repeal the DMRs as zoning regulations per Resolution 18-15. With adoption of this growth policy, the Density Map and Text are included as advisory documents in Appendix C. The Commissioners believe the net effect of moving the regulations to advisory status will be negligible.

Density Policies

It is Lake County's general policy that 1) it is necessary to facilitate and manage community growth and development; 2) density is an imperfect but may be an appropriate way to measure the impacts of development on communities and resources; and 3) given the pros and cons of the various methods to manage growth, providing written advisory density policy in the growth policy is the best method to both facilitate development and to implement the growth policy.

Regulations and policies must be black and white, but also flexible. To give clarity, predictability, and a general understanding by the public, certain terms must be defined and rules must be in place, but

overall the regulations and policies do not need to be highly prescriptive to promote the intended purposes of the density policy. There is questionable evidence that the density map and regulations have, in fact, achieved the purpose for which they were written. When used in conjunction with other tools to guide development density such as subdivision and sanitation regulations, road improvement and maintenance district creations, and the Capital Improvements Plan, the DMR's will continue to impact development in the county. Additionally, the Commissioners have expressed doubts as to whether regulations written and adopted to implement the 2003 Growth Policy would continue to binding under a 2018 Growth Policy.

The purposes of guiding development throughout Lake County are as follows:

1. To provide a balance of flexibility and predictability;
2. To discourage dense development where the

Policy



roads are incapable of accommodating the resulting traffic burden and are unlikely to be improved to do so;

3. To facilitate the provision of transportation, water, sewage, schools, parks, and other public requirements;
4. To encourage more intensive future growth and development close to cities, towns and other established communities where public services exist, and sparser development farther from population and service centers;
5. To direct growth where public services can be provided in a cost-effective manner, thereby reducing public expenditures;
6. To help maintain the character of rural areas, as well as protect the viability of agricultural and timber production areas;
7. To protect the wildlife habitat, water quality and natural resources; and
8. To provide clear guidelines to developers, citizens and elected and appointed officials regarding the future growth of Lake County and the immediate development potential of specific geographic areas based on these factors working together.

With those purposes in mind, the policies outlined in this plan are intended to guide potential future amendments to the Density Map and Text. This plan additionally outlines criteria for development density on a county-wide or similar large scale basis like the current DMR's, which should at least include the following elements, as applicable:

- ✓ High density areas, called Community Growth Areas on the current density map, where development density is essentially limited only by available water and sewer services;
- ✓ Low density areas (such as 20 and 40 acres per unit Development Density areas on the current density map) which seek to limit development density based on agricultural and timber uses, rural settings that are removed from services, sensitive wildlife habitats, areas with vulnerable aquifers and similar attributes.

- ✓ Mid-density areas or “in between” density regions where allowed densities are limited to meet the purposes of the DMR's. The current mid-range density regions include those that range from 1.5 acres per unit to 10 acres per unit.

Land Conservation

Over the past decade, a large amount of private land has been placed under conservation easements, most notably the Montana Legacy Project, which placed over 16,000 acres of former Plum Creek's (now Weyerhaeuser) commercial timberland in the Swan Valley under a conservation easement in 2010. These lands are now managed by The Nature Conservancy and the Montana Department of Fish, Wildlife, and Parks. A number of other conservation easements are placed on land throughout Lake County on a regular basis by various landowners.



Safe Harbor Marsh Ecological Preserve NW of Polson is a conservation easement managed by The Nature Conservancy

Map 12 (Appendix B, page B-6) shows conservation easements in Lake County as of 2017. Though certain land uses are prohibited depending on the easement, in many cases resource uses such as cattle grazing, or recreational activities such as hunting and fishing, are still allowed. In general though, these areas are protected for their natural or agricultural values, watershed functions, fish and wildlife habitat, or unique recreational opportunities.

Lake County is routinely asked to provide comments on proposed conservation easements pursuant to 76-7-207, MCA, which requires entities acquiring such easements to minimize conflicts with local comprehensive planning by informing the local planning authority of the intended easement. It has been Lake County policy since 2003 and before that the county is generally supportive of conservation easements if historic land uses continue and the land remains in taxable status.

Wildland-Urban Interface

State law for growth policies:

According to 76-1-601(3), MCA, a growth policy must include an evaluation of the potential for fire and wildland fire in the jurisdictional area, including whether or not there is a need to:



1. delineate the wildland-urban interface; and
2. adopt regulations requiring:
 - a. defensible space around structures;
 - b. adequate ingress and egress to and from structures and developments to facilitate fire suppression activities; and
 - c. adequate water supply for fire protection.

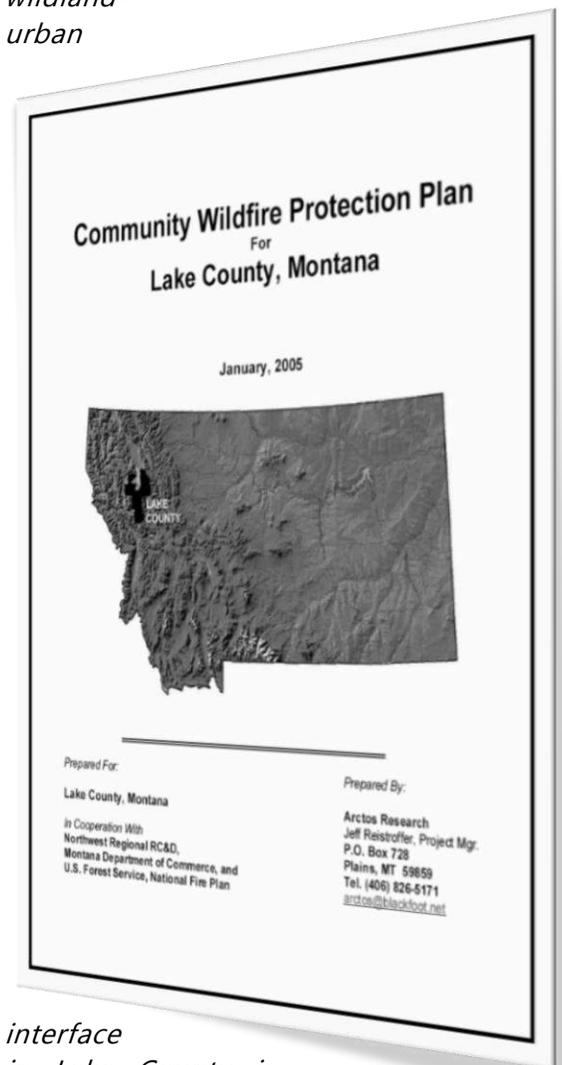
Jurisdictional setting:

The jurisdictional area of the Lake County Growth Policy includes all land outside of the three municipalities of the City of Polson, the City of Ronan, and the Town of St. Ignatius. There are lands within the jurisdictional area that are not under the jurisdiction of Lake County, which can go in or out of county or other jurisdictions depending upon ownership, and there are lands within the jurisdictional area that Lake County does not reasonably expect to become subject to Lake County authority. However, given the influence such lands can potentially have on wildland fires across jurisdictions, this Wildland-Urban Interface section is adopted for the entire county jurisdiction with consideration of lands outside Lake County's jurisdiction.

WUI delineation:

With regard to the statutory criteria pertaining to the Wildland-Urban Interface (WUI), it is Lake County's policy that as of the date of this growth policy, there is a need to delineate the Wildland-Urban Interface. The following facts are paramount to the current policy:

1. In 2005, Lake County adopted a Community Wildfire Protection Plan (CWPP), which is still effective. In the plan, the WUI is described as follows (Section 5.3, page 31): "*For the purposes of this planning document, The wildland-urban*



interface in Lake County is identified as those areas of the county that are classified as "forested", and have residential development." The plan includes an extensive analysis of 11 wildland-urban interface "planning areas," which delineated these highest risk areas as being

the top priorities to address within the plan. The plan suggests these are the WUI areas identified by Lake County, but given most accepted definitions of the WUI, there are considerable lands within the WUI not in the CWPP planning areas, as well as areas in the CWPP planning areas that may be more appropriately considered outside the WUI.

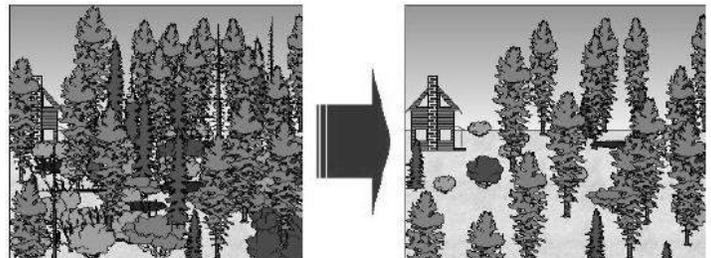
In addition, the CWPP mapping was used by DNRC in subsequent WUI mapping in 2011 (see below).

2. In 2010, Lake County adopted the current Lake County Subdivision Regulations. The subdivision regulations include the following definition of the Wildland Urban Interface (page 149): *"Where humans and their development meet or intermix with wildland vegetation on one or more sides of a proposed subdivision."* The following definition of "wildland vegetation" also applies: *"Uncultivated land covered by forest, brush or grass. Wildland vegetation does not include lands that are fallow or grazed on an annual or greater basis."* The application of these definitions often results in common interpretation that subdivisions are included in the WUI while they are outside any mapped WUI in the 2005 CWPP, and some subdivisions meeting the WUI definition would be more appropriately be considered outside the WUI using a professional "on the ground" analysis.
3. In 2011, Lake County adopted an Emergency Operations Plan. Hazard identification is a top county action for implementing the plan, which also states wildland fires are common in Lake County.
4. In 2011, the DNRC's Fire and Aviation Bureau used the 2005 Lake County CWPP mapping in subsequent WUI mapping as required by 76-13-145, MCA to identify WUI parcels.
5. In 2012, Lake County adopted a Pre-Disaster Mitigation Plan (PDM plan), which also incorporated the 2005 Community Wildfire Protection Plan. According to the PDM plan, in 2011, the DNRC started inventorying fire risk in the Swan Valley and in interface areas

around Lake Mary Ronan, along the east shore of Flathead Lake, and along the west shore of Flathead Lake in the Rollins area. The PDM plan stated recent actions along the Mission Front and in the Jette area reduce the likelihood of catastrophic wildfire through fuel thinning and controlled burns. These actions, along with years of implementation of the fuels reduction program, likely result in changes to consider since the 2005 CWPP mapping efforts.

6. Beyond the variation of the above-discussed documents with regard to the WUI, recent summers are offering reminders, with Summer of 2017 a prime example, that wildland fires are a real threat to those of us who live, work, and play in western Montana.

It is understood that no definitions or delineations are expected to be perfect with regard to identifying the WUI in Lake County. However, Lake County should seek to delineate the WUI and bring definitions and descriptions of other plans and regulatory documents in line with the delineation. This delineation could occur as part of an update to one of the above-adopted plans (CWPP and/or PDM plan), or as its own project.



An image about fuels reduction from the 2005 CWPP

Need for WUI regulations:

Regarding whether it is necessary for Lake County to adopt regulations requiring: 1) defensible space around structures; 2) adequate ingress and egress to and from structures and developments to facilitate fire suppression activities; and 3) adequate water supply for fire protection; the following are Lake County's policies:

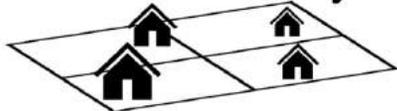


1. For subdivisions of land, Lake County has

subdivision regulations in place that provide appropriate wildland fire related requirements for the WUI as new lots are created through the subdivision review process. However, the subdivision

regulations need updates to revisit the applicability of and definition related to the WUI.

Subdivision Policy



2. When development of existing lots occurs in the WUI, there will typically be a lack of regulations that ensure fire protection requirements are provided. In some zoned areas, zoning requirements (through standard structural setbacks and application of certain public health and safety related criteria, such as through conditional use reviews) may result in these requirements being addressed, but the vast majority of properties in the WUI may be developed without county or other regulations requiring defensible space, adequate fire equipment access, and water supplies. Although new, stand-alone regulations are not anticipated to address WUI development, fire safety will be considered as land use regulations are updated. Additionally, homeowner education and cost-sharing fuels reduction programs are anticipated to be undertaken and are essential actions to address this issue.
3. Despite the limitations discussed in (2) above, the county can also address access to structures/properties and water supplies for fire protection opportunistically and outside of regulatory requirements that are applied during individual lot development or subdivision review. The county can support efforts to improve roads and water supplies through rural improvement districts and other ways on a case-by-case basis.

be evaluated for their impact on several review criteria, including: agriculture, agricultural water user facilities, local services, the natural environment, wildlife, wildlife habitat, and public health and safety. State law (Title 76, Chapter 1, Part 6, MCA) also requires that growth policies include a statement explaining how governing bodies will define these criteria and evaluate and make decisions regarding proposed subdivisions with respect to the criteria. The 2010 Lake County Subdivision Regulations also define the criteria; those definitions are consistent with the definitions provided below, but are refined within this growth policy to clarify county policies with respect to the criteria.

The following are Lake County's current definitions of the seven subdivision review criteria that must be defined within the growth policy, how they are evaluated, and decisions made with respect to the criteria during subdivision review. Also included are examples of, and guidance for, potential mitigation measures that may be proposed by subdividers and/or attached to subdivision proposals as conditions of preliminary approval.

Agriculture

Definition: The historic or current use of land for the production, keeping or maintenance, for sale, lease or personal use, of plants, animals useful to man, including but not limited to: forages and sod crops, grains and seed crops, dairy animals and products, livestock of all kinds, bees and apiary products, trees and forest products and fruits of all kinds. This does not include land used for mineral extraction.



A Lake County ranch

Subdivision Policies

Subdivision Review Criteria

The Montana Subdivision and Platting Act (Title 76, Chapter 3, MCA) requires that subdivision proposals

Policy: Agriculture is a large part of the makeup of Lake County’s local economies and cultural values now, and is expected to be through the life of the 2018 growth policy. Subdivision of land can consume



agricultural lands or impact agriculture in direct and indirect ways. A subdivision proposal may have an unacceptable impact on agriculture if it permanently removes important agricultural soils from agricultural production, does not include measures to control noxious weeds from proliferating to surrounding agricultural properties, does not prevent livestock from entering subdivision lots, does not provide a sufficient buffer between residential development and surrounding agricultural operations, allows pets to harass livestock, or does not notify future property owners of the right to farm by surrounding agricultural landowners. If a subdivision proposal includes substantial measures to minimize impacts on agricultural operations and resources, and complies with all other applicable requirements of local regulations that are intended to mitigate those impacts, such as density standards and subdivision regulations, it is likely to be found to have little or no significant impact on agriculture.

Mitigation: Mitigation measures to limit impacts on agriculture include treating noxious weeds on the property and entering into a weed management agreement with Lake County, taking steps to preserve agricultural soils such as clustering homes and development on non-irrigated land or poorer soils, limiting development density, purchasing the development rights or restricting future development on nearby agricultural property to offset development, adequately fencing the perimeter boundaries in livestock areas, and adopting covenants that require pets to be restrained and adequate building setbacks and buffers from surrounding agricultural lands.

Agricultural water user facilities

Definition: Those facilities which provide water for irrigation or stock watering to agricultural lands for the production of agricultural products. These facilities include, but are not limited to, ditches, head gates, pipes, and other water conveyance

facilities.



An irrigated Lake County farm

Policy: Irrigation facilities increase the quality, viability and production potential of agricultural lands. These facilities have been established often with great historic efforts deserving of future protection. In addition, land is often valued and taxed or assessed based on presence of irrigation water which, once established, should continue unless reasonably found to no longer be of benefit to the local agricultural economy and future landowners. A subdivision proposal may have an unacceptable effect on agricultural water user facilities if it does not comply with the irrigation provisions of the Lake County Subdivision Regulations or fails to implement a reasonable mechanism for delivering irrigation water to the lots, does not include sufficient easements for ditch and system maintenance, or is likely to result in the disruption of service to other water users. If the proposal complies with the subdivision regulations, includes measures to limit the impacts to other users and meets the requirements of the applicable irrigation authority, the proposal is likely to be viewed as having no significant impact on agricultural water user facilities.

Mitigation: Mitigation measures include creating and implementing irrigation plans and depicting or establishing easements that comply with the subdivision regulations and state and federal law. In addition, all proposals for subdivision of land under the Flathead Indian Irrigation Project or other irrigation authority must include information

demonstrating there was an attempt to obtain an official review from the applicable irrigation agency and comply with their requirements or recommendations.

Local services

Definition: Local services are defined as any and all services that local governments, public or private utilities are authorized to provide for the benefit of their citizens. These services include, but are not limited to, law enforcement, fire protection, emergency medical services, water supply, recreation, streets and roads, parks, libraries, schools, wastewater collection, treatment and disposal, electrical and telecommunications services and solid waste collection and disposal.

Policy: Lots created and developed with new residences and commercial or industrial buildings should be provided efficient local services, especially those that are most basic and necessary for health and safety. Lake County recognizes times are changing, but some issues are often forgotten during development review:



Emergencies may often occur unexpectedly, which is part of what makes them "emergencies."

One role of government is to expect the unexpected and plan for emergencies of all kinds. Emergencies may occur anywhere people live, work or recreate. It is essential for people to have the tools and abilities to reach out to emergency service providers and for



The Mission Valley, courtesy of CSKT

emergency service personnel to safely and efficiently respond.

There are various ways for some services to be provided, which differ today from 20 years ago and how they may be provided in 5, 10, and 20 years. Certain assumptions of basic needs are now antiquated, such as those for land-line telephones at every home, "on the grid" power wherever development is to occur, and other assumed needs. For the most part, when Lake County reviews new subdivisions, the basic expectation is that all local services will be provided (including power and telephone), and any impacts on local service providers in providing those services must be reasonably mitigated. However, subdivisions and other proposals under Lake County review will be evaluated based on what is presented and what is deemed necessary to reasonably serve the subdivision.

A subdivision proposal may be found to have an unacceptable impact on local services if it provides a substantial and unmitigated demand on local services, decreases the service provider's ability to provide timely services to the existing public, does not provide adequate facilities for the service provider to serve the subdivision, provides barriers to service provisions, or is found to result in similar impacts without appropriate mitigation.

Mitigation: If service providers comment on a subdivision and all applicable service provider and regulatory requirements are met, a proposal is likely to have minimal impacts on local services.

Natural environment

Definition: The natural environment is defined as the physical conditions which exist within a given area, including land, air, water, mineral, flora, fauna, sound, light and objects of historic and aesthetic significance.

Policy: Negative impacts to the natural environment do not occur without activities on the ground. There are countless variables that should be considered on a case-by-case basis when reviewing subdivisions; these variables must be anticipated to some degree through subdivision regulations and the



local review procedures, but cannot be fully anticipated properly with one-size-fits-all development standards or review requirements because each subdivision proposal is different. Lake County officials understand that expected impacts on the natural environment from a subdivision are somewhat speculative during preliminary plat review, a time when the potential impacts must be evaluated under Montana subdivision law. A subdivision proposal may be found to have an unacceptable impact on the natural environment through scientifically-based and supported findings of direct or indirect negative impacts on the physical conditions that comprise the immediate area's or general vicinity's natural environment.

Mitigation: Possible negative impacts that are identified require mitigation efforts by the subdivider. Subdividers are encouraged to determine what the impacts may be and offer plans for mitigation. Mitigation measures may include, but are not limited to, advanced-treatment wastewater treatment systems or approved public/municipal sewer hookups where extensions of services are deemed feasible, developing multi-party water systems instead of numerous individual wells, providing for native vegetative buffers and building setbacks along waterways and riparian corridors, reducing the amount of impervious surface areas, locating development outside of floodplains and off of steep slopes, leaving view corridors open for off-site property owners, requiring downward-pointed, side-shielded outdoor lighting to prevent off-site glare, buffering the view of new development from surrounding landowners, including measures to prevent toxic chemicals from entering the aquifer, managing stormwater runoff in light of surface and groundwater conditions, having paved roads and otherwise preventing air emissions that violate established standards.

If mitigation is insufficient or the subdivision fails to comply with the applicable federal, state, tribal and local regulations related to the natural environment, a subdivision proposal may be found to have an unacceptable impact on the natural environment. If a subdivision complies with applicable regulations and mitigation measures are required and then properly implemented, the proposal is likely to have no significant impact on the natural environment. In cases where unanswered questions exist regarding

potential impacts to the natural environment, the developer may be required to pay for a third party assessment of the impacts.

Public health and safety

Definition: The prevailing healthful, sanitary condition of well-being for the community at large. Conditions that relate to public health and safety include but are not limited to: disease control and prevention; emergency services; environmental health; flooding, fire or wildfire hazards, rock falls or landslides, unstable soils, steep slopes, and other natural hazards; high voltage lines or high pressure gas lines; and air or vehicular traffic safety hazards.

Policy: Protecting public health and safety is the primary purpose of government. A subdivision proposal may have an unacceptable effect on public health and safety if it is located in an area that cannot be effectively served by emergency responders or is located in an area that is prone to natural or man-made hazards. Some examples are development on steep slopes, within high fire hazard areas or in areas not served by a fire district. If steps are taken to ensure that a subdivision can be adequately served by emergency responders, the dangers posed by natural or man-made hazards are sufficiently mitigated, and the proposal complies with state and local regulations, a subdivision proposal is likely to be viewed as having little impact on public health and safety.

Mitigation: Some examples of mitigation measures include requiring building envelopes away from steep slopes and unstable soil, requiring engineered structural designs if development is to be allowed on or next to steep slopes, requiring roads serving the subdivision to be built to county standards, developing water facilities for volunteer fire departments, aiding public safety and emergency response organizations with paying for the costs of serving the new development, constructing emergency or secondary ingress and egress routes, implementing additional wildland urban interface requirements and other measures. However, it is recognized that in some exceptional instances public health and safety cannot be provided. In such cases, development should not be permitted.

Wildlife

Definition: All birds, mammals, amphibians, reptiles

and fish that are not domesticated or tamed.

Policy: Many areas of Lake County subject to subdivision of land are home to wildlife. Beyond destruction of habitat (addressed below), the most common impacts subdivision developments have on wildlife are the result of human-wildlife conflict. Education and notifications to property owners or inhabitants of subdivisions of what activities or lack thereof generate those impacts provides the first step toward addressing the impacts when such subdivisions are to occur. Implementation of mitigation efforts is critical to preventing unacceptable impacts to wildlife.

Subdivision Policy



Implementation of mitigation efforts is critical to preventing unacceptable impacts to wildlife.



A new fawn learning on a Lake County roadway

Mitigation: Examples of wildlife mitigation measures include prevention of habitat destruction (below), developers donating a monetary sum to an applicable wildlife or habitat preservation organization, and developing covenants or other methods to effectively educate and notify potential property owners or inhabitants of subdivisions of what activities or lack thereof generate those impacts, and effectively reduce the potential for human-wildlife conflict through actual or enforceable means.

Wildlife habitat

Definition: Land, vegetation and water that provides food and shelter for wildlife. For the purposes of this growth policy and the subdivision regulations, wildlife habitat can be broken into the

following types:

- a. **Crucial Habitat:** Places containing resources such as food, water, cover and shelter, that contribute to survival and reproduction of wildlife, and are necessary to prevent unacceptable declines, or facilitate future recovery of wildlife populations, especially federally-listed or proposed endangered and threatened species. Two types of crucial habitat include:
 1. **Important Wildlife Movement Corridors:** Crucial habitats that provide connectivity over different time scales (seasonal or longer), between areas used by animal and plant species. Such corridors can exist within unfragmented landscapes, or connect naturally or artificially fragmented habitats, and serve to maintain or increase the essential genetic and demographic connection of populations. These corridors are often riparian corridors.
 2. **Winter Range:** That part of the overall range where concentrations of wildlife occur between October and April.
- b. **Significant Wildlife Habitat:** Includes crucial habitat and also summer range, aquatic habitat, including riparian areas, wetlands and other surface water bodies, breeding and rearing areas, waterfowl and upland bird production areas, and habitat for other species of concern.
- c. **Other Habitat:** Other areas providing food or shelter for wildlife that are not deemed crucial or significant.

Policy: Many areas of Lake County are designated as important habitat for bears, big game, waterfowl, upland game birds and other animals. A subdivision proposal may have an unacceptable effect on wildlife habitat if it is to develop land that wildlife inhabits and does not include measures to prevent human-wildlife conflict or ensure wildlife will continue to inhabit the area. In cases where unanswered questions exist regarding potential impacts to wildlife and wildlife habitat, the

developer may be required to pay for a third-party assessment of the anticipated impacts.

Mitigation: If the proposal includes substantial measures to limit the potential impacts and complies with all applicable federal, state, local and tribal requirements, the proposal is likely to be judged as having no significant impact to wildlife habitat. Mitigation measures include, but are not limited to, preserving vegetative cover along riparian and migration corridors, requiring significant building setbacks from bodies of water, reducing development density in areas of important habitat, clustering development to limit the impact of development, donating a monetary sum to an applicable wildlife or habitat preservation organization, and developing covenants that educate lot buyers and reduce the potential for human-wildlife conflict.

Public Hearings on Subdivision Proposals

This section describes how all public hearings will be conducted for the review of subdivision proposals and related matters when a public hearing is required (i.e., material amendments, subsequent public hearings for consideration of new information on a major or subsequent minor subdivision, etc.). Minutes shall be taken at all public hearings and be made available to the public after drafted and after adopted. Whether a planning board or the Board of Lake County Commissioners is holding the public hearing, this section is to be followed. In instances where local regulations, bylaws, or rules of a board differ from this section, the stricter shall control. All steps shall lead to a final decision by the County Commission on or prior to the mandatory review deadline, except as provided below or by applicable regulations or state law.

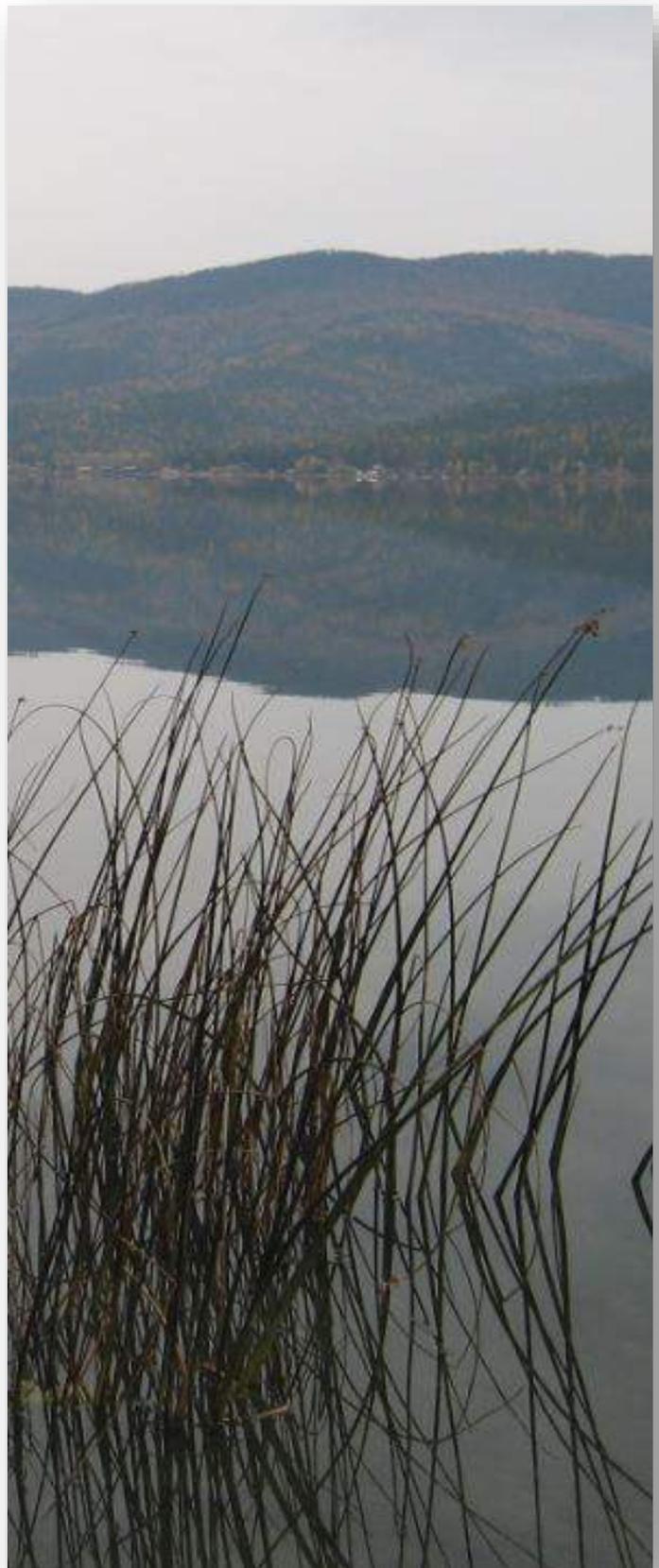
Public hearings shall include the following steps and be conducted in the following order:

1. The presiding officer (e.g., Chairman of the County Commission, President of the Planning Board, etc.) shall open the public hearing and introduce the subdivision or other proposal to be heard.

2. The board shall determine whether proper notice of the public hearing has been provided. If proper notice has not been provided, the public hearing shall be re-scheduled to allow proper notice.
3. The presiding officer shall ask if any board members wish to declare a conflict of interest in the matter to be heard, and excuse any member who declares such a conflict from participation in the hearing.
4. The presiding officer shall ask for the report on the proposal (i.e., staff report, planning board or commissioner report, etc.) to be presented.
5. The subdivision administrator shall give an overview of the report and proposal, evaluating the proposal relative to state law, local regulations and the applicable review criteria, and, as applicable, make a recommendation to the planning board or present the recommendation of the planning board.
6. Members of the board may ask questions of the subdivision administrator.
7. The presiding officer shall ask the subdivider or his/her designated agent(s) to present the proposal, describe pertinent features of the proposal, and respond to the report and staff or planning board recommendation.
8. Members of the board may ask questions of the subdivider.
9. The presiding officer shall open the public hearing to public comment. The board may direct all public comment to be given in a manner and of a limited duration per person as determined by the board.
10. All members of the public choosing to speak shall identify themselves prior to commenting and shall direct comments to the board and not members of the audience or the subdivider or agent.



11. After public comment has been received, the presiding officer may then close the hearing to public comment.
12. The board shall deliberate, make findings of fact, and take action on the proposal (i.e., make a recommendation to the County Commission if a planning board; approve, conditionally approve, or deny a proposal if the County Commission). During the board's deliberation, any board member may ask further questions of the subdivision administrator, the subdivider, and the public. Motions on variances and other elements requiring action (recommendation or final decision, including any modifications, as applicable) may be made separately or through separate motions in a logical order, or through one motion. Generally, decisions on variances and modifications (such as to recommended conditions of approval) should be determined prior to action or board votes on the overall project.
 - a. Any member of the board may make a motion on a proposal. Any motion requires a second prior to the board voting on the motion. All board members may vote on the motion or abstain from voting.
 - b. If unanswered questions persist which result in the board being unable to make conclusive findings in support of a reasonable decision, the board may ask the subdivider for an extension of the preliminary review period and if an extension is agreed upon, the board may continue the public hearing to a date, time, and place announced during the hearing. If the date, time, or place of the to-be continued public hearing is not announced, a new public hearing must be noticed and held according to all public hearing requirements. The purpose of the extension should be to allow the board to further investigate or to give the subdivider or agent the opportunity to answer unanswered questions.



Sources

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- ⁱ Source: Lake County Montana: Growth of a Small Government, by Lauren S. McKinsey and Peter H. Koehn,
 - ⁱⁱ Same
 - ⁱⁱⁱ Source: American Community Survey and U.S. Census Bureau
 - ^{iv} Source: Montana Census and Economic Information Center
 - ^v Source: American Community Survey and U.S. Census Bureau
 - ^{vi} Source: Montana Census and Economic Information Center
 - ^{vii} Source: United States Census Bureau via Wikipedia; Archived on October 19, 2016. Retrieved July 16, 2017
 - ^{viii} Source: American Community Survey
 - ^{ix} Source: American Community Survey and U.S. Census Bureau
 - ^x Source: American Community Survey and U.S. Census Bureau
 - ^{xi} Source: American Community Survey and U.S. Census Bureau
 - ^{xii} Source: American Community Survey
 - ^{xiii} Source: American Community Survey and U.S. Census Bureau
 - ^{xiv} Source: Bureau of Economic Analysis



Eli Gap, the Mission Valley, and Mission Mountains

Chapter 9: Implementation



LAKE COUNTY GROWTH POLICY – CHAPTER 9: IMPLEMENTATION, AUGUST 21, 2018

The implementation table below organizes the recommended actions so the user of the growth policy can easily identify them by key issue, when the actions are planned to occur, and who should carry the action out. The columns in the implementation table are:

Goals are broad statements describing a desired future condition. They are big-picture statements of what the County is trying to achieve.

Objectives are general descriptions of the steps Lake County should take to meet its goals. Objectives should be attainable, reasonable and measurable.

Implementation Actions are the specific steps Lake County can take to attain the objectives.

Who Carries Out are the primary entities for Lake County who will take a leadership role for each action. Depending on the action, the county's roles will vary from leading, facilitating or supporting.

Partners are agencies/entities identified during adoption of the growth policy as partners and participants who should be involved with each implementation action, especially non- Lake County entities. Note that the public is always viewed as partners although not listed. Note that NGOs and other private partners can include local businesses, community leaders, service providers, and other entities and individuals.

Timeframe: This column indicates when the implementation actions are expected to be taken. The timeframes included are:

Immediate: These actions are to be initiated or completed within one year of adoption of the plan and generally reflect immediate priorities.

Short-Term: These actions are to be initiated or completed within one to five years from adoption of the growth policy.

Mid-Term: These actions are to be initiated or completed within five to 10 years from adoption of the growth policy.

Ongoing: These actions will occur throughout the life of the growth policy.

Signs of Success are indicators that Lake County has identified for particular goals and objectives, which are a way for county officials to evaluate whether the goals and objectives are being fulfilled. These are to help the county officials and members of the public to visualize real world signs that the growth policy is being implemented.

Below is a list of acronyms and abbreviated terms used in the implementation table to identify some of the more common terms.

BOCC – Board of Lake County Commissioners

LCPD – Lake County Planning Department

LCPB – Lake County Planning Board

CCPB – Polson City-County Planning Board

LCGW – Lake County Grant Writer¹

LCCD – Lake County Conservation District

LCEH – Lake County Environmental Health Department

LCPH – Lake County Public Health Department

LCAO – Lake County Attorney's Office

LCRD – Lake County Roads Department

GIS – Lake County GIS Department

OEM – Lake County Office of Emergency Management

WCD – Lake County Weed Control District

PARKS – Lake County Board of Parks Commissioners (a.k.a. "Parks Board")

SWD – Lake County Solid Waste District

WSDs – Lake County's Water and Sewer Districts

LCSO – Lake County Sheriff's Office

CIP – Capital Improvements Plan aka Community Infrastructure Plan

NGOs – non-governmental organizations

CSKT – Confederated Salish and Kootenai Tribes

MTFWP – Montana Department of Fish, Wildlife, and Parks

MDT – Montana Department of Transportation

DNRC – Montana Department of Natural Resources and Conservation

USFS – United States Forest Service

USFWS – United States Fish & Wildlife Service

¹ Lake County currently does not have a full-time grant writer, but is currently evaluating creating this position. Until Lake County employs a Grant Writer, these tasks are to be implemented by Lake County officials as assigned by the Lake County Commissioners.

| Key Issue 1 Quality of Life | | | | | | |
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| Issue statement: | Lake County is a unique place with fabulous natural and cultural amenities that provide a base for our economy and enhance our quality of life. Lake County seeks to protect those amenities while providing for public health and safety for residents and visitors. | | | | | |
| Vision statement: | Communities and rural areas in Lake County are clean, safe and healthy for all residents and visitors and we protect our natural and cultural resources and amenities for the benefit of residents, visitors, and the local economy. | | | | | |
| GOALS | OBJECTIVES | IMPLEMENTATION ACTIONS | WHO CARRIES OUT | PARTNERS | TIMELINE | SIGNS OF SUCCESS |
| 1.1. Provide safe and healthy communities for residents and visitors | 1.1.1. Address pressing issues related to the law and order system such as a court-ordered expansion of the court rooms and judges' facilities, the needs for a larger and improved detention center, and the ongoing impacts of substance abuse and mental health issues | 1. Appropriately address the Public Law 280 impacts with consultation and cooperation with the tribes, federal government, and State of Montana to eliminate the overburden to county resources | BOCC, LCAO, LCSO | LCPH, CSKT, MT Department of Public Health and Human Services, service providers | Immediate, Ongoing | County resources are proportionally allocated to the law, order and social networks |
| | | 2. Provide sufficient court rooms to comply with district court order to do so | | | | People are not discouraged from being part of Lake County communities by the lack of law enforcement and justice system resources |
| | | 3. Provide a larger detention center to accommodate inmates to eliminate backlog of unserved sentences and to provide for immediate needs without undue impacts on property tax payers | | | | The detention center is able to keep up with demands |
| | | 4. Contribute to networks and facilities to improve treatment capabilities for substance abuse and mental health | | | | Those in need of substance abuse and mental health treatment have local resources to turn to for help |
| | | 5. Improve or assist with patient and family access to facilities providing treatment for substance abuse and mental health | | | | Law enforcement, justice system and social service providers have adequate resources to provide the needed services |
| | 1.1.2. Support efforts of emergency, medical, and social services to identify needs and improve capacity and effectiveness | 6. Seek or write letters in support of grants and other federal, state and local funding sources to maintain and expand public safety capacity | BOCC, LCGW, LCPH, OEM, all Lake County departments as called on by BOCC | Non-profit and private service providers | Short Term, Ongoing | Emergency, medical and social service providers have adequate resources to provide the needed services at a higher capacity |
| | | 7. Assist service providers with the expansion of public facilities | | | | Citizens understand many of their first responders are their neighbors who have volunteered without pay to take this responsibility |

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| 1.1.3. Provide a safe and efficient transportation network for all modes of transportation | 8. Update the CIP on a regular basis as needed, but at least every 5-years, to ensure plans appropriately address transportation facility needs | BOCC, LCRD, LCGW, LCPD | CSKT, MDT, Polson, Ronan, St. Ignatius | Short Term, Ongoing | Community members are noticeably better served by all roads, sidewalks, trails and transit in Lake County, which is a model for safe and efficient travel in Montana |
| | 9. Implement the transportation projects in the CIP on an annual basis | | | | |
| | 10. Facilitate and administer special improvement districts for roads, sidewalks and trails | | | | |
| | 11. Update and implement the subdivision regulations' provisions for road improvements on private and public roads and pedestrian facilities | | | | |
| | 12. Adopt county road standards that apply to county roads, which are reasonably uniform with the subdivision regulations | | | | |
| | 13. Coordinate transportation-related improvements with other agencies, such as the tribes, municipalities, and MDT | | | | |
| | 14. Seek grants and other funds for road, sidewalk and trail improvements, particularly in growth areas | | | | |
| 15. Work with MDT to provide more pedestrian and bicycle facilities along state highways | | | | | |
| 1.1.4. Implement the Lake County Parks and Trails Plan | 16. Review implementation table of Parks and Trails Plan and ensure implementation actions are properly occurring; take steps to initiate any past-due actions | BOCC, PARKS, LCPD | Polson, Ronan, St. Ignatius, CSKT, surrounding jurisdictions | Short-Term, Ongoing | All Lake County residents and visitors have convenient access to parks and trails Lake County residents become healthier as a result of using recreational opportunities |
| | 17. Make day-to-day decisions with an eye toward development and marketing a diverse regional parks and trail system | | | | |
| 1.1.5. Within the Wildland-Urban Interface (WUI), encourage only fire-safe development | 18. Better delineate the WUI | BOCC, OEM, LCPD, LCPB, CCPB, LCGW | DNRC, local fire departments, WSDs, CSKT | Mid-Term, Ongoing | Plans are updated and fuels reduction projects are implemented; property loss to wildfires is kept to a minimum, directly attributable local efforts to educate homeowners and implementation of fire wise subdivision regulations |
| | 19. Update and implement the Community Wildlife Prevention Plan | | | | |
| | 20. Update the subdivision regulations to ensure the definitions and provisions related to the WUI appropriately address county policies and service provider needs | | | | |
| | 21. During development review, consider public safety in the WUI and promote defensible space, firefighting equipment access and water supplies | | | Ongoing | |

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| | | 22. Opportunistically improve access to structures and properties and water supplies for fire protection | | | Ongoing | | |
| | | 23. Support efforts to improve roads and water supplies and reduce fuels through rural improvement districts, grant writing, and other ways on a case-by-case basis | | | | | |
| | | 24. Work with fire agencies to carry out landowner education and outreach and fuels reduction projects to increase fire safety | | | | | |
| | | 25. Support legislation that enables collaborative efforts to restore and maintain healthy forests and reduce wildfire risks | | | | | |
| 1.2. Conserve, protect and utilize natural, scenic, cultural and outdoor-recreational resources | 1.2.1. Conserve and protect water quality, wildlife habitat and agricultural resources | 26. Continue to implement and update regulations that conserve and protect important natural resources | BOCC, LCPD, LCEH | CSKT, LCPB, CCPB, Lake County Board of Health, NGOs | Ongoing | Lake County's water quality, wildlife habitat, and agricultural resources exist in today's or better quality and quantity 20 years from now | |
| | | 27. Work towards the development and implementation of an inventory and review of pre-permitted septic systems as resources allow and continue working towards remediating failing systems to ensure they are providing effective wastewater treatment | | | | | |
| | | 28. Encourage landfills, septic sludge depositories, car washes, truck stops, gas stations, road sanding dumpsites and other commercial and industrial projects with a high risk of water pollution to locate in areas with low potential for groundwater or surface water contamination unless waste is adequately treated | | | | | |
| | | 29. Work cooperatively with appropriate entities to facilitate conservation easements from willing landowners that protect wetlands and riparian areas | BOCC, LCPD | CSKT, LCPB, DNRC, NGOs | Ongoing | | |
| | | 30. Adopt a right-to-farm ordinance | BOCC, LCAO, LCPD | LCPB, CCPB | Short-Term | | Agricultural producers thrive for decades to come |
| | | 31. Identify Lake County's most important agricultural resources, map, and update regulations where appropriate (may also result in repeal of certain regulations to better meet the goal) | BOCC, LCPD, GIS | LCPD, CCPB, CSKT, state and federal agencies, NGOs | Short-Term | | County planning tools are viewed as a community benefit that work well for the vast majority of landowners |
| 32. Work with CSKT to address water quality, setbacks and buffers, and lakeshore protection measures on tribal properties | | | | | | | |

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| | 1.2.2. Provide leadership and participate in efforts to thwart aquatic invasive species (AIS) | 33. Coordinate with the Flathead Basin Commission, CSKT and others in efforts to prevent introductions of aquatic invasive species and quickly and effectively respond to any discovery events | BOCC, LCPD, LCGW, LCSO | Flathead Basin Commission, CSKT, MTFWP, LCPB, LCCD, NGOs, and other state and federal agencies as opportunities arise | Immediate, Ongoing | AIS fail to invade the Flathead Basin and impact regional resources |
| | | 34. Participate in the Flathead Basin AIS Work Group and assist in the writing and implementation of the group's AIS Prevention Strategy | | | | |
| | | 35. Create and adopt ordinances to help prevent introductions and respond to any introductions of AIS | | | | |
| | | 36. Encourage the Sheriff's Office to be familiar with AIS laws and obtain and maintain training to act appropriately in response to violations | | | | |
| | | 37. Provide signage at county access sites and seek other educational outreach opportunities at the local level | | | | |
| | | 38. Coordinate AIS outreach efforts with other county processes (example: provide informational materials with Lakeshore Construction Permits) | | | | |
| | | 39. Help share information on AIS outreach efforts on social media | | | | |
| | 1.2.3. Reduce the spread of and take steps to control noxious weeds | 40. Require weed plans for subdivisions and other development reviews and implement them appropriately | BOCC, LCPD, WCD, LCRD | LCPB, CCPB, Lake County Board of Adjustment | Ongoing | New species of noxious weeds fail to gain a presence in Lake County and current noxious weeds are controlled |
| | | 41. Actively monitor and treat noxious weeds on county properties and rights-of-way | BOCC, WCD, LCRD | | Ongoing | Existence of noxious weeds are noticeably reduced |
| | | 42. Seek or write letters in support of grants and other federal, state and local funding sources to monitor and control noxious weeds and otherwise provide resources or educational tools to do so | BOCC, WCD, LCGW | | Ongoing | Property owners have resources to effectively fight noxious weeds |
| | | 43. Educate private property owners of harmful effects of noxious weeds on property values | BOCC, WCD | | | |
| | | 44. Encourage other jurisdictions and public agencies to control noxious weeds | | MDT, CSKT | Ongoing | Weeds are actively managed on all lands in Lake County |

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| | 1.2.4. Conserve, protect, and, where appropriate, utilize historic and cultural resources and sites | 45. Require cultural reviews of subdivision sites by CSKT within the Flathead Indian Reservation portions of Lake County and the Montana Historical Preservation Office off the Flathead Indian Reservation | BOCC, LCPD, LCPB, CCPB, LCGW | CSKT, Montana Historical Preservation Office | Ongoing | Cultural and historic resources are preserved for future generations, and tribal cultural resources are managed at the discretion of tribal government and members |
| | | 46. Work with partners to protect, restore, and reuse culturally-appropriate historic resources, sites, and structures | | | | |
| | | 47. Support tribal efforts to protect and conserve cultural resources, when invited | | | | |
| | | 48. Include the tribes on agency review lists for development, conservation, and parks and trails projects | | | | |
| | | 49. Seek or write letters in support of grants and other federal, state and local funding sources to conserve and assist with preservation and promotion efforts for historic and cultural resources and sites | | | | |
| | 1.2.5. Protect scenic views along highways if the state and/or tribes participate in county actions or implement similar actions | 50. Develop provisions in county plans and regulations to protect viewsheds along major highways when the state and/or tribal governments participate | BOCC, LCPD, LCPB, CCPB | MDT, CSKT, Private developers | Mid-Term, Ongoing | Views from major highways such as US Highway 93, MT Highway 35, and MT Highway 212 are preserved and not consumed by uncontrolled advertising and strip development |
| 51. Encourage development of impact mitigating highway corridor plans as part of development review of projects along highways | | | | | | |
| 1.2.6. Consider impacts on natural, scenic and cultural resources when reviewing development proposals and updating land use regulations | 52. Include provisions in land use regulations that directly protect natural, scenic and cultural resources | BOCC, LCPD, LCPB, CCPB | CSKT | Short-Term, Ongoing | Cultural and historic resources are preserved for future generations | |
| | 53. Update and implement the county's Lakeshore Protection Regulations to improve mitigation to avoid or reduce potential impacts to natural, scenic and cultural resources | | | | | |

Key Issue 2 Housing

Issue statement: There is a lack of housing for sale and for rent in the price ranges that are needed. Wages are not keeping up with the real estate housing and rental markets. As a general trend, young people are leaving Lake County and not returning, and many who start their careers here are not staying, which is partly attributable to housing costs. Housing types must also meet the needs of an aging population. Much of existing housing stock is in need of rehabilitation. Additional housing for sale or rent must be accomplished without increasing the tax burden on other property owners.

Vision statement: There is sufficient housing for sale and for rent in all price ranges. Homes and residential lots are readily available and are affordable even for those Lake County citizens making modest or average incomes. Lack of affordable real estate is not a cause of people leaving Lake County, and is sufficient to attract new people and those who have left. Housing options are diverse, and retirees and senior citizens can view Lake County as an attractive living option.

| GOALS | OBJECTIVES | IMPLEMENTATION ACTIONS | WHO CARRIES OUT | PARTNERS | TIMEFRAME | SIGNS OF SUCCESS |
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| 2.1: Encourage the creation of all types of affordable and workforce housing | 2.1.1. Work with the incorporated and unincorporated communities to identify efficient growth areas and expand water and sewer facilities and other community infrastructure needs | 54. Meet with representatives of each municipality and water/sewer district serving an identified community growth area when requested to identify and map infrastructure and growth areas and determine what is needed for water and sewer improvements, sidewalks and other improvements | BOCC, LCPD, LCEH | Polson, Ronan, St. Ignatius, WSDs, LCPB, CCPB | Immediate, Ongoing | Growth areas and infrastructure such as water and sewer facilities and sidewalks are maintained on maps available to the public |
| | | 55. Expand infrastructure and system capacities of the county water and sewer districts | | | | Lake County knows current conditions and needs of municipal and water and sewer district systems and other facilities |
| | | 56. Assist with municipal water and sewer system upgrades as opportunities allow | | | | Water and sewer facilities of municipalities and districts are expanded within growth areas |
| | 2.1.2. Encourage housing development in circumstances where potential impacts are minimal and/or mitigated | 57. Update the subdivision regulations to encourage housing development in community growth areas where impacts are expected to be minimal or mitigated through regulatory design standards | BOCC, LCPD, LCPB, CCPB | Private developers, real estate professionals, economic development corporations | Immediate, Ongoing | Subdivision regulations are more accommodating to new housing, with streamlined regulations and basic design standards appropriate for the settings |
| | | 58. As zoning regulations or other regulations are updated or adopted, make provisions to allow accessory dwelling units (ADUs) to expand the housing market and supplement landowner incomes | | | | Real estate market has available residential units in the prices needed (for rent and for sale) |
| | 2.1.3. Provide incentives for innovative approaches to development of low- and moderate-income housing | 59. When updating subdivision and other regulations and plans, seek to include modern approaches that give density bonuses and other benefits when a certain percentage of a development provides needed low-and moderate-income housing | BOCC, LCPD, LCEH | WSDs, LCPB, CCPB, private developers, real estate professionals, economic development corporations | Short-Term, Ongoing | Developers use unique provisions in Lake County regulations to provide new housing in the price categories most needed |
| | | 60. Work with agencies to provide funding sources for rehabilitation of existing housing | | | | |
| | 2.1.4. Reduce or eliminate unnecessary regulatory barriers that raise residential construction costs and timeframes, without compromising environmental protections | 61. Review and update land use regulations to find ways to cut unnecessary barriers to cost-effective housing and to streamline county reviews, particularly for housing for family members and caretakers | BOCC, LCPD, LCPB, CCPB | Private developers, real estate professionals, economic | Short-Term, Ongoing | Residential construction costs and timeframes are predictable and not unreasonably hindered by county regulations |

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| | | 62. During development reviews, avoid encouraging restrictions that result in higher residential construction costs (Example: while covenants may be encouraged to mitigate impacts, covenants should not be encouraged to include minimum building size requirements; subdividers and their agents should be informed that such restrictions may inadvertently raise costs and limit housing options) | | development corporations | | Developers/subdividers do not incur or include unintended restrictions that raise residential construction costs, and landowners and builders are free to develop affordable housing that meets market needs |
| | 2.1.5. Partner with economic development agencies, housing authorities, private developers and non-profit agencies to provide affordable, workforce, special needs and senior citizen housing | 63. Maintain an open-door policy at the Commissioners' office for economic development agencies, private developers and non-profit agencies to discuss with the County Commissioners and Planning Department staff project ideas that can provide affordable, workforce, special needs and senior citizen housing | BOCC, LCPD | Private developers, real estate professionals, economic development corporations | Ongoing | Prevalence of unprovided housing needs is diminished with partnerships formed |
| | | 64. Assist with grant applications and facilitate projects that will provide affordable, workforce, special needs and senior citizen without increasing the tax burden on other property owners | | | | |
| | 2.1.6. When updating or adopting zoning and other land use regulations, consider and assess possible unintended consequences that impact the for rent and sale housing markets, such as regulating short term/vacation rentals | 65. During zoning updates and other reviews of land use regulations, include analyses regarding short term/vacation rentals and other land uses and the impact they may have on the for rent and sale housing markets | BOCC, LCPD, LCPB, CCPB | Private developers, real estate professionals, economic development corporations | Ongoing | Short term/vacation rentals are an economic benefit in appropriate locations that do not compromise long term housing options |
| | | 66. Attempt to make zoning districts uniform in how short-term/vacation rentals are addressed, and only make special restrictions when fully intended and analyzed | | | | Violations from short term/vacation rentals are minimized, and such rentals are not inadvertently prohibited, but rather are only prohibited in inappropriate places |
| | 2.1.7. Encourage mixed-use developments in and around communities that allow residents to live within walking and biking distance of employment, stores and services | 67. Update the subdivision and zoning regulations to provide for more incentives for mixed use developments, such as PUDs in growth areas | BOCC, LCPD, LCPB, CCPB | Private developers, real estate professionals, economic development corporations | Short-Term | People rely less on vehicles for all travel |
| | | 68. When updating or creating plans and regulations, encourage mixed-use developments in and around communities | | | | Short-Term/Mid-Term, Ongoing |
| Key Issue | 3 | Economic Development | | | | |

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| Issue statement: | The key to economic development in Lake County is to capitalize on the local competitive advantages such as Flathead Lake, a healthy natural environment and our small town rural character, building on our strengths and addressing our weaknesses. Lake County must strive to provide attractive, unique and functional communities; support business retention and development; conserve and utilize important natural and agricultural resources; and support and provide culturally-appropriate public access to recreational lands. | | | | | |
| Vision statement: | Communities and rural areas in Lake County protect our competitive advantages and maintain their distinct character while improvements are created that promote the long-term economic viability of the area. | | | | | |
| GOALS | OBJECTIVES | IMPLEMENTATION ACTIONS | WHO CARRIES OUT | PARTNERS | TIMELINE | SIGNS OF SUCCESS |
| 3.1. Provide attractive, functional communities and amenities that are accessible to residents and visitors | 3.1.1. Develop strategies and funding sources for community center improvements, including parking, lighting, landscaping, gathering places, pedestrian and bike facilities, façade improvements and signage | 69. Develop plans for community improvements in the larger unincorporated communities like Pablo, Arlee, Woods Bay, and Charlo, and make improvements strategically as part of other projects and as funding is available 70. Incorporate community improvements into the CIP during updates 71. Seek or write letters in support of grants and other funding sources to improve community centers and manage projects to reduce costs | BOCC, LCPD, LCGW | Economic development agencies, WSDs, MDT, CSKT | Mid-Term, Ongoing | Plans are developed, funding is secured and specific projects are implemented; towns are attractive, accessible, and easy to navigate |
| | 3.1.2. Promote a development pattern of distinct, identifiable communities separated by resource lands instead of a sprawling development pattern along highways | 72. Update and implement the growth policy's density policies associated with the Density Map and Text as well as zoning regulations; create new or updated districts centered on community vitality and quality of life | BOCC, LCPD | LCPB, CCPB, Lake County Board of Adjustment | Short-Term, Ongoing | Each community has its own personality Throughout Lake County, there is a clear transition from scenic highways and resource lands to distinct, compact communities |
| | 3.1.3. Enhance opportunities to access public lands and waters | 73. Develop, improve and maintain county access points to lakes, rivers, and public lands per the Parks and Trails Plan | BOCC, PARKS, LCPD | CSKT, MTFWP | Ongoing | Lake County is known to be a place with excellent opportunities for access to public lands and waters |
| | 3.1.4. Encourage educational opportunities as a crucial aspect to healthy communities | 74. Seek or write letters in support of grants, scholarships and other funding sources for education | BOCC, LCGW | Local school districts, SKC | Ongoing | Lake County is a place where locals and regional residents learn about our cultures and resources, who in turn give back to our communities |
| | | 75. Support Lake County schools and educational opportunities beyond high school | | | | |
| | | 76. Explore possible development of a county internship program to provide training to local students | | | | |

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| | 3.1.5. Participate in and promote local voices in discussions that improve local visibility and access to businesses along state and federal highways, before, during and after highway projects | 77. Engage in discussions with MDT to enhance the viability of the Arlee business community as impacted by highway design and traffic flows on the recently modified US Highway 93 78. During future highway projects, look closely at how highway plans impact local communities and ensure local voices are heard and incorporated into designs | BOCC | MDT, WSDs, Polson, Ronan, St. Ignatius, CSKT, NGOs | Short-Term Ongoing | Highways are an integral part of the internal infrastructure networks in communities, and not simply a means of passing through or a hazard |
| 3.2. Be an inviting place for those seeking Lake County's cultural and recreational amenities | 3.2.1. Provide economic incentives for job growth and development in and around population centers | 79. Seek or write letters in support of grants and other federal, state and local funding sources for small businesses and development projects seeking to locate in and around Lake County communities | BOCC, LCGW | MDT, WSDs, Polson, Ronan, St. Ignatius, economic development agencies, NGOs | Ongoing | Municipalities and small communities have unique job opportunities rarely found in other places There is continuous culturally-appropriate development throughout Lake County communities that respects and showcases cultural and recreational amenities unique to the area |
| | | 80. Accommodate businesses seeking to locate in and around Lake County communities by waiving or reducing review fees when the county budget allows | BOCC, LCPD | | | |
| | | 81. Inform business community when regulations are updated and work with interested parties to improve permitting systems and streamline development review | BOCC, LCPD | | | |
| | 3.2.2. Support economic development organizations and their efforts to promote the local and regional economy | 82. When requested or needed by economic development organizations, devote staff time to assist with their efforts in a manner that will promote economic development related goals and objectives of this growth policy | BOCC, LCPD, LCGW | Economic development agencies, NGOs, WSDs | Ongoing | Funding enters Lake County and surrounding communities with direct results on the ground that benefit our people and economy |
| | | 83. As opportunities arise, work with local economic development agencies and citizens to create locally-specific plans for rural communities | | | | |
| | 3.2.3. Develop and promote Lake County's outdoor and small town oriented brand | 84. Reach out to key businesses and community leaders in the unincorporated and incorporated communities regarding the potential to create a new brand for Lake County's outdoor and small town cultures and host a social event to kick off discussions (in conjunction with Action 104) | BOCC | CSKT, economic development agencies, NGOs, WSDs | Immediate, Ongoing | Lake County is known as a place with excellent outdoor recreation opportunities The public and local governments collaboratively find what best represents Lake County amenities and |
| 85. Follow-up on Action 84 by leading and facilitating further discussions and actions to create and promote the county brand | | | | | | |

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| | | | | | | establishes a brand expressive of outdoor amenities and small towns |
| | 3.2.4. Support local organizations in their efforts to hold events that attract residents and visitors | 86. Share Lake County facilities with local entities holding events with community value, which may be through reduced rates or free usage of county facilities, or providing Lake County staff support 87. Use social media such as Lake County's Facebook page and webpage to promote local events | BOCC, All Lake County Departments | Economic development agencies, NGOs, WSDs | Ongoing | Well known events throughout Lake County are a part of the fabric of our communities on a regional basis |
| | 3.2.5. Develop the Polson Fairgrounds Events Center | 88. Opportunistically fund development of phases of the Polson Fairgrounds Events Center with help from the community to provide for multiple uses per site plans that have been reviewed by the public | BOCC, PARKS | Polson, NGOs | Short-Term, Ongoing | The Polson Fairgrounds Event Center is a hub for community memories and a destination for regional events |
| 3.3. Support existing businesses and encourage the formation of new ones | 3.3.1. Develop a buy-local program for Lake County and partners | 89. Recruit and enlist local small business owners and producers as partners to create a buy-local program | BOCC, LCGW | NGOs, CSKT | Short-Term, Ongoing | Money regularly circulates within our communities and local products are a staple for local and regional residents |
| | | 90. Support and promote community farmers markets; consider allowing use of county properties for buy-local events in small communities | | | | Local farmers markets are bustling and successful events |
| | | 91. Provide or support grant writing and other technical support to qualifying companies seeking to add value to local products and create jobs in rural areas | | | | Local residents reduce reliance on global food systems and rely more on locally produced food |
| | 3.3.2. Provide incentives for new businesses considering moving to Lake County | 92. Modernize zoning regulations to reflect current and anticipated industries and businesses and to encourage clean technology firms and manufacturers of sustainable products <i>See Actions 84/85</i> | BOCC, LCPD, LCGW | LCPB, CCPB | Ongoing | Lake County is regularly chosen as a place of business over other competing markets |
| 3.3.3. Encourage retention of family farms and businesses | 93. Allow flexibility in regulations to provide housing for family members and farm workers | | | | | |

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| | | 94. Provide grant writing and other technical support to agricultural producers and companies seeking to add value to local agricultural products and create jobs in rural areas | | | Ongoing | Farms and businesses are kept operational through generations |
| | | 95. Support efforts to educate young farmers, through county participation in educational programs, scholarships and promotion/networking of rural farm communities | | | | |
| | | 96. During zoning regulation updates, consider regulations that limit land uses that encourage large-scale, unsustainable industrial food systems, such as feed lots | | | | |
| | | 97. When possible, waive review fees, minimize restrictions on subdivisions, or encourage alternative processes to provide for land divisions legitimately intended only to facilitate farm loans and other funding opportunities | | | | |
| | | 98. Encourage specialty crops, including organic products, and relatively new crops in the area like grapes, hops and other crops that can help sustain small farms and provide additional opportunities for taking advantage of value-added products in appropriate locations | | | | |
| 3.3.4 Work with communications providers to ensure sufficient broadband capacity to support business growth and development | | 99. Research, assess, and enhance broadband availability and affordability throughout Lake County | BOCC, LCPD | Private service providers, Legislative representatives | Short-Term, Ongoing | Broadband capacity and internet speed and reliability are never to blame for business relocation or location to places outside of Lake County; to the contrary, quality of service attracts business growth and development |
| | | 100. Support legislation to expand digital communications in rural areas | BOCC, LCPD | | | |
| | | 101. Maintain relatively simple and permissive local regulation of wireless communication facilities with minimal permitting processes and flexible tower height limitations, especially when visual impacts are offset or mitigated with design standards | | | | |
| 3.3.5. Encourage opportunities for businesses (including those in the agricultural markets) to take advantage of exporting goods and services to non-local consumers | | 102. Support business location, retention and expansion efforts as opportunities arise | BOCC | Economic development agencies, NGOs | Ongoing | Quality Lake County products are found throughout the world |
| | | 103. Work with business community to improve permitting systems and streamline development review | | | | |

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| | 3.3.6. Promote a network for Lake County communities and businesses that can band together to form a fabric of visible communities | 104. Reach out to key businesses, water and sewer districts, and community leaders in the unincorporated and incorporated communities regarding the potential to create a county community and business network and host a social event to kick off discussions (in conjunction with Action 84) | BOCC | Polson, Ronan, St. Ignatius, NGOs | Mid-term | Lake County communities establish visibility in regional and world markets through collaborative efforts |
| | | 105. Follow-up on Action 104 by leading and facilitating further discussions and actions to support formation of the network, if the idea gains traction with communities and businesses | | | | |

Key Issue 4 Local Governance and Leadership

Issue statement: In Montana, many governments and agencies provide public services. These entities must work together to provide efficient and effective service delivery. Lake County is more complex than most counties because approximately two-thirds of the county overlaps with the Flathead Indian Reservation. Issues related to the overlapping jurisdictional areas are paramount to efficient and effective governance. The limited tax base that comes with a high volume of tax-exempt federal and tribal lands that still require some forms of public service is a major issue. The Lake County Commissioners see the current situation with fee land going into tax exempt status at a critical stage that if not addressed by the county, the federal government, the state, and/or the tribes may result in a failed county government. A related issue is the different land use regulation of tribal and non-tribal properties, with many residents believing regulations are not equally applied. Exempt lands not under the jurisdiction of Lake County are still part of the essential fabric of the county and the county must therefore participate in land management decisions when possible. It is also often in the best interest of the Lake County public for the county government to assist municipalities and local districts with providing infrastructure and services, and to align county regulations and policies with those of the municipalities and other local units of government in circumstances that promote more efficient services and well-planned communities.

Vision statement: Lake County is a leader, providing a model of efficient and effective public services. The county government works cohesively with other local, state, tribal and federal governments. Lake County residents contribute to this 'community of communities' and participate in various levels of government. Communities are well planned and realize the visions of local participants, leaders, and units of government.

| GOALS | OBJECTIVES | IMPLEMENTATION ACTIONS | WHO CARRIES OUT | PARTNERS | TIMELINE | SIGNS OF SUCCESS |
|---|---|---|-----------------|---|--------------------|--|
| 4.1. Lead efforts to cooperate and coordinate with state, tribal, federal and municipal governments | 4.1.1. Become active partners in planning for and developing alternatives for management of federal lands by acquiring and maintaining coordinating and cooperating agency status | 106. Reach out to the US Forest Service, USFWS, US Army Corps of Engineers, Bureau of Reclamation, and other applicable federal agencies to determine the specific requirements to achieve cooperating agency status under NEPA | BOCC, LCAO | US Forest Service, USFWS, US Army Corps of Engineers, Bureau of Reclamation | Immediate, Ongoing | Federal decisions directly respond to local needs and important decisions that impact local resources and communities are made responsibly by federal entities |
| | | 107. Achieve and maintain cooperating agency status with the federal agencies playing a critical role in management of federal lands that impact the Lake County government and public | | | | |

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| | 4.1.2. Improve two-way communication and cooperation with the CSKT Tribal Council and tribal departments | <p>108. Set aside a regular time and place for properly noticed gatherings between the members of the Board of Lake County Commissioners and CSKT Tribal Council where formal or informal discussions can occur to deal with current and future issues. The pre-defined meetings should occur quarterly until a more collaborative, better-defined arrangement is set.</p> <p>109. Provide the tribal government regular updates from the Board of Lake County Commissioners on planning matters that relate to the tribes; updates should occur at least quarterly and be written or verbalized with at least part of the audience in mind being the tribal government</p> <p>110. Explore written agreements to implement parallel policies with tribes</p> | BOCC | CSKT Tribal Council | Immediate, Ongoing | <p>Understandings between county and tribal governments are realized</p> <p>Mutual goals of the county and tribes are recognized and acted upon regularly</p> <p>Duplications in services provided by the county and tribes are reduced</p> <p>The county and tribes are keenly aware of each other's' efforts and collaborate when possible</p> <p>As county and tribal leaders come and go, new leaders can turn to written agreements to carry on previous efforts</p> |
| | 4.1.3. Establish and maintain regular communication amongst county and municipal governments, water and sewer districts, fire districts and other agency partners | <p>111. Set aside a regular time and place for properly noticed gatherings between the members of the Board of Lake County Commissioners and municipal councils where formal or informal discussions can occur to deal with current and future planning issues; the pre-defined meetings should occur quarterly until more collaborative, better-defined arrangements are set</p> <p>112. Provide the municipal governments regular updates from the Board of Lake County Commissioners on matters that relate to the municipalities; these updates should occur quarterly and be written or verbalized with at least part of the audience in mind being the city/town governments</p> <p>113. When a proposed subdivision is within one mile of a city or town forward a copy of the subdivision application and preliminary plat to the applicable municipal government for review and comment; at such time the City of Polson reaches a population of 5,000 people, the distance will be extended to two miles</p> | BOCC | Polson, Ronan, St. Ignatius, fire departments, WSDs | Immediate, Ongoing | Communities in Lake County grow and develop while providing the public highest standards in public health, safety, and government efficiency |

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| | | 114. Maintain availability of the Commissioners and other county officials to communicate as needed with water and sewer districts, fire districts and other agencies in order to assist with plans as well as needs and shortcomings of public facilities | BOCC | Polson, Ronan, St. Ignatius, fire departments, WSDs | Immediate, Ongoing | |
| | | 115. Find ways to cooperatively develop future service and growth areas where relatively high-density and mixed-use development will be encouraged in communities where services can be provided efficiently and effectively, often utilizing tribal services (such as water or sewer services) when available | | | | |
| | 4.1.4. Work with the City of Polson to provide consistent land planning in the Polson City-County planning area | 116. Engage in meetings with City of Polson officials to pursue adoption of updated land use rules for the jurisdictional area immediately outside of the City of Polson that are compatible with the city's | BOCC, LCPD, CCPB | Polson City Commission, City Manager, City Planner | Immediate to Short-Term, Ongoing | The county's autonomy over planning matters in its jurisdiction continues while sound planning efforts for the City of Polson influence development in the surrounding area |
| | 4.1.5. Take advantages of opportunities for county cooperation when other governments allow | 117. Attend and participate in meetings as invited and reciprocate meeting invitations | BOCC, All Lake County departments | All government agencies | Ongoing | The Lake County government is seen as a resource and partner by other local governments and state and federal agencies |
| 118. Explore opportunities that other governments offer for county cooperation; participate in cooperative efforts as county resources allow, which can mean allocating county resources | | | | | | |
| 119. Maintain ongoing and regular communication with the cities and town, as well as with water and sewer districts and other local government entities | | | | | | |
| 4.2. Provide financially sustainable, responsible, efficient, effective and innovative | 4.2.1. Instill and maintain a customer service mentality | 120. Implement an effective training program for county staff that focuses on quality customer service and leadership within their respective departments | BOCC, Lake County Human Resources Office | All LC staff | Ongoing | The Lake County public and others served by county officials point to Lake County as an example of effective customer service mentality within an establishment |
| | | 121. Implement regular staff meetings with County Commissioners where Commissioners can instill customer service mentality through leadership and dialogue | | | | |

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| county government | 4.2.2. Provide effective opportunities for public involvement in decision making | 122. Use various forms of media to provide for public involvement that works specifically for the Lake County public | BOCC, Lake County Human Resources Office | All LC staff | Immediate, Ongoing | All interested members of the public have opportunities for involvement |
| | | 123. Establish Action 122 through trial and error, along with opportunities for public feedback on these avenues | | | | |
| | 4.2.3. Evaluate and, where identified, remove redundancies and barriers to effective county government | 124. Continually analyze county processes from the perspectives of the public, and take direct steps to streamline processes | BOCC, All LC staff | | Short-Term, Ongoing | Unnecessary steps in day-to-day activities involving the county government are eliminated |
| | 4.2.4. Research and evaluate potential opportunities to consolidate county, tribal and municipal government service providers, such as those providing law enforcement and road maintenance services | 125. Make a list of county services provided that are also provided by other local and tribal governments, gather and analyze data regarding costs of providing services, and brainstorm opportunities to streamline efforts | BOCC, LCSO, LCRD, OEM | CSKT, Polson, Ronan, St. Ignatius | Immediate | Redundancies across local government service providers are minimized to the extent possible |
| | | 126. As opportunities become better understood, streamline provisions of public services | | | Ongoing | |
| | | 127. Enter into agreements to formalize efforts to cooperate with other agencies to provide services more efficiently | | | Mid-Range | |
| | 4.2.5. Research and evaluate potential opportunities to eliminate duplication in administrative services, such as permit authority when other regulations adequately cover projects | 128. Review regulations of other jurisdictions as well as Lake County's to determine whether redundancies and inconsistencies can be eliminated | LCPD, BOCC | CSKT Shoreline Protection Office | Short-Term | Any overlap in administrative services across jurisdictions have a purpose |
| | | 129. Update regulations to eliminate any unnecessary redundancies and inconsistencies | | | | |
| | 4.2.6. Selectively oppose unmitigated transfer of fee land into tax exempt status | 130. Write letters of comment in response to proposed transfers of land from fee to tax exempt status, but only when a specific transfer is important to the county and resources allow | BOCC, LCAO, LCPD | | Ongoing | If and when fee land leaves the tax rolls, a funding source is in place and prepared to offset the loss without burden to others |
| | | 131. When commenting (Action 130), offer ideas to mitigate proposed transfers of land from fee to tax exempt status | | | | |
| | | 132. Study, track and explain the results of proposed and actual transfers of land from fee to tax exempt status so that data can be explained, and mitigation can be quantified | | | | |

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| | 4.2.7. Promote mitigation at the state, tribal and/or federal levels to address the continual loss of fee land off the tax rolls as it is converted to tribal trust or other tax exempt status | 133. Introduce or partner with others to propose state or federal legislation to mitigate the continual loss of fee land off the tax rolls as it is converted to tribal trust or other tax exempt status | BOCC, LCAO | CSKT Tribal Council, Legislative representatives | Short-Term | |
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Key Issue 5 Land Use and Development

Issue statement: It is important to understand the effects of land use policies and regulations over time, including impacts on natural and cultural amenities, the economy, county residents, and county staff and budgets. Therefore, it is important to have in place a realistic mechanism and timeframe for policy and regulation evaluations and updates.

Vision statement: Lake County’s land use regulations are innovative, yet simple and consistently applied throughout the county and across different jurisdictions. County approval processes are appropriate for their times and contexts and respond to the needs of the public while serving the purposes of promoting effective and high-quality community development, protecting natural and community resources, and avoiding land use conflicts. Land use policies balance individual rights guaranteed by the state Constitution with overall community welfare.

| GOALS | OBJECTIVES | IMPLEMENTATION ACTIONS | WHO CARRIES OUT | PARTNERS | TIMELINE | SIGNS OF SUCCESS |
|---|---|---|------------------------|----------|--------------------|---|
| 5.1. Respect private property rights of landowners and neighbors and their reasonable expectations for the area | 5.1.1. When making land use decisions, uphold provisions of the US and Montana Constitutions that protect private property rights as well as the state constitutional rights of other area property owners to a clean and healthy environment | 134. Provide for legal reviews of land use regulations and significant development proposals prior to county approvals | LCPD, BOCC, LCPB, CCPB | | Immediate, Ongoing | No private property owner has reason to claim a county decision was unconstitutional to them |
| | | 135. Have legal staff present during key land use decisions to provide legal advice to the Board of Lake County Commissioners | | | | |
| | 5.1.2. When reviewing development proposals, respect landowner wishes to get enjoyment and economic return out of their lands but at the same time, ensure that the enjoyment and value of neighboring land is not unreasonably compromised by development projects | 136. Examine and weigh issues of fairness and legal defensibility during development reviews and as decisions are made | LCPD, BOCC, LCPB, CCPB | | Immediate, Ongoing | Landowners see enjoyment and economic return on their lands and activities on neighboring lands have little if any negative impacts on theirs; a balance is routinely struck to the satisfaction of both parties when county decisions are made |
| | | 137. Take steps to increase public knowledge of local regulations and controlling statutes | | | | |
| | | 138. During public reviews and meetings, promote opportunities for productive public dialog and address public comments | | | | |
| | 5.1.3. When considering new or updated regulations, identify issues that affect property owners and seek to limit impacts | <i>See Action 138</i> | LCPD, BOCC, LCPB, CCPB | | Immediate, Ongoing | Property owners who are required to mitigate their impacts or comply with county requirements understand what is being required and cannot reasonably claim a county requirement was without reason |
| 139. During review and adoption processes, use real-world examples to analyze proposed regulations | | | | | | |
| 140. Before adopting proposed regulations, verify that resulting requirements eliminate overly restrictive provisions that apply to unintended situations | | | | | | |

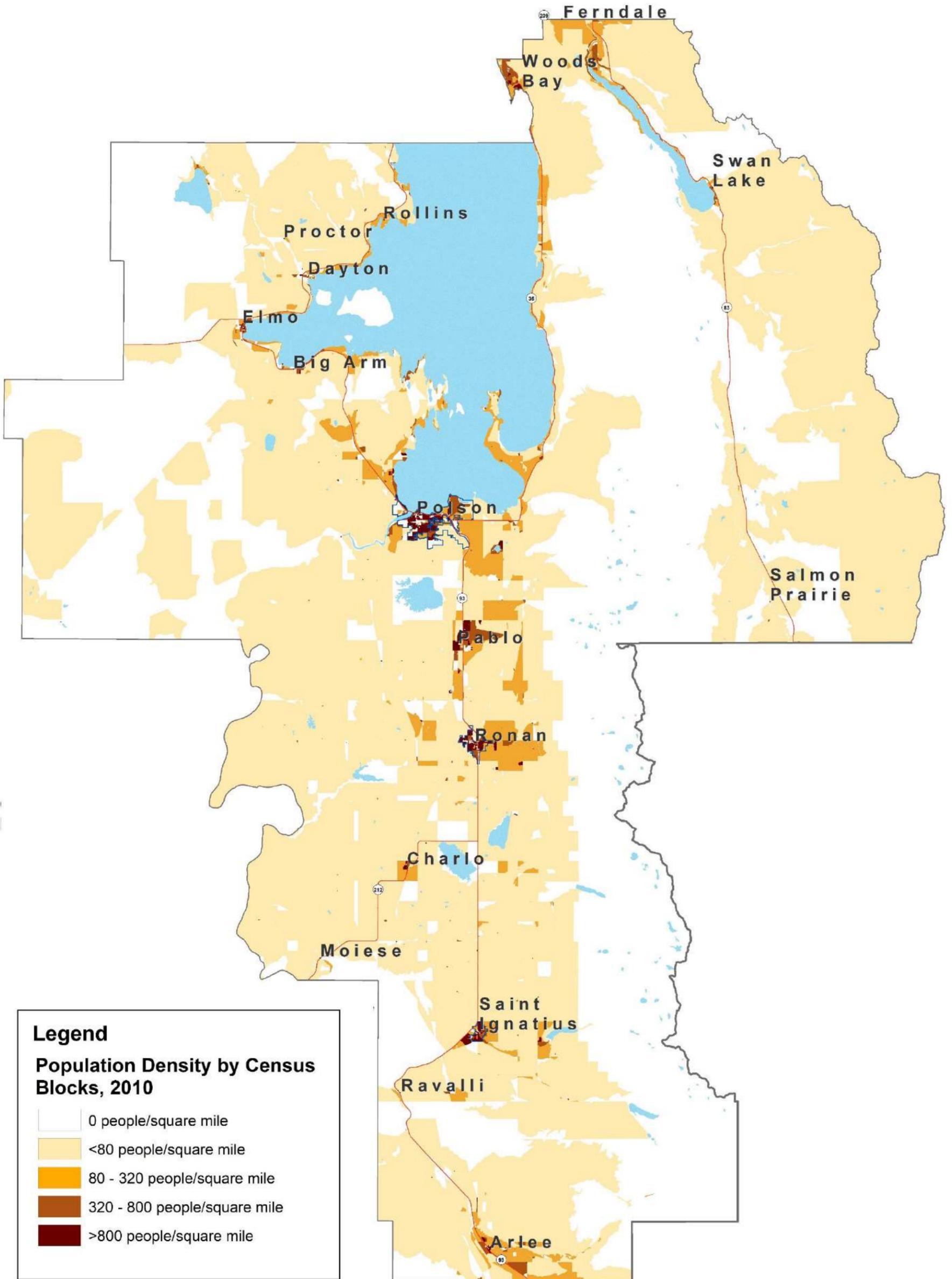
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| | 5.1.5. When managing county owned land, set a positive example by mitigating impacts to neighboring landowners and encourage land stewardship | 141. Treat weeds on county properties and rights-of-ways 142. During public reviews that result in decisions on county land management, provide for dialogue with area landowners, consider public comments and perception and mitigate impacts when possible | BOCC, LCWD, PARKS, LCRD | | Immediate, Ongoing | County lands can consistently be used as a positive example of land stewardship |
| 5.2. Conserve and promote agricultural and timber/forest resources | 5.2.1. Identify areas of agricultural and timber importance and support the ability of landowners to continue such operations | 143. Map Lake County's most productive and potentially productive agricultural and timberlands | LCPD, GIS | US Department of Agriculture, USFS, Lake County Conservation District, MSU Extension Office, CSKT | Immediate, Ongoing | Agricultural and timber resources are not lost and are protected and used sustainably |
| | | 144. Analyze areas of agricultural and timber importance and local regulations that impact sustainable production; change regulations that overly limit sustainable production | LCPD, BOCC | | | Local regulations to not adversely limit sustainable resource use and production |
| | | 145. When updating zoning and wastewater treatment regulations, allow dwelling units for family and workers as well as accessory dwelling units in appropriate settings to allow for more housing options for the Lake County public and incomes for landowners | BOCC, LCPD, LCEH, Lake County Board of Health, LCPB, CCPB | | | CSKT |
| | 5.2.2. Support innovative ways to manage agricultural and timber resources that promote community resilience | 146. Encourage forest management and restoration projects that result in economic activity, especially those that result in fuels reduction where needed and improvements to wildlife and fisheries habitat while protecting water quality and cultural resources | BOCC, LCPD, LCEH, LCGW | Lake County Conservation District, USFS, DNRC, CSKT | Ongoing | Agricultural and timber lands healthy, clean, and free of noxious weed infestations, while local workers have cultivated agricultural and wood products from the lands and put the economic returns back into the community; meanwhile, forest fuels and wildfire hazards are reduced and wildlife habitat is improved |
| | | 147. Support grants and projects intended to fund innovative land management | | | | |
| | 5.2.3. Encourage value-added agricultural and wood products operations | 148. When updating zoning regulations, provide for low impact industrial and commercial uses that allow agricultural and timber producers to manufacture, distribute and sell their products and otherwise engage in value-added activities in appropriate locations | BOCC, LCPD, LCGW | LCPD, CCPB, CSKT | Ongoing | Crops, livestock and wood products do not simply go from land to raw materials to be shipped to regional hubs; value-added products |

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| | | 149. Support grants and other projects for value-adding producers | | | Ongoing | provide additional benefits to the economy and are used locally. Local regulations do little to limit overall production of value-added products, and primarily only play a role in mitigating impacts on surrounding property owners and public |
| 5.3. Provide clear, consistent and regularly updated policies and regulations | 5.3.1. Reduce redundancies, eliminate inequities and antiquated or unnecessary rules, and update regulations on a regular basis | 150. Systematically inventory needed updates to regulations and maintain a list of priorities for updates | LCPD | BOCC, LCPB, CCPB | Ongoing | Regulations are reasonable and responsive to real and present issues |
| | | 151. Set realistic yearly goals to update regulations | | | | |
| | | 152. Initiate regulations updates according to yearly schedules; amend those regulations that require frequent reviews (per the regulations) to provide for a more realistic schedule based on need and staff availability | | | | |
| | 5.3.2. Apply land use regulations and policies consistent with those that apply to similarly-situated properties under other jurisdictions | 153. When county regulations are to be updated, notify other governments and consider their comments during review and adoption of county regulations; explore aligning county regulations with tribal regulations | BOCC, LCPD, LCPB, CCPB, LCEH | CSKT and other governments | Ongoing | Disparities between equitable land use policies are minimized; taxpayers cannot routinely point to their neighbors to demonstrate jurisdictional inequities |
| | 5.3.3. Implement policies for effective public notification processes prior to adoption of new land use regulations and education after adoption | 154. Analyze state laws and local regulations to determine public notification expectations | BOCC, LCPD | All Lake County departments | Ongoing | Lake County members of the public are well-informed in advance of county actions of interest to individuals; individuals who want to know don't need to take undue efforts to stay informed and participate in county processes that require some element of notification; notices are predictable for various county actions |
| | | 155. Write, adopt, and implement consistent public notification processes that comply with applicable statutes while providing notification consistent with public expectations | | | | |
| 156. Implement programs to educate the public on some basic county regulations and processes, such as those for approvals of homes (example: Lakeshore Permitting Guide Brochure that has been in use since 2013) | | | | | | |

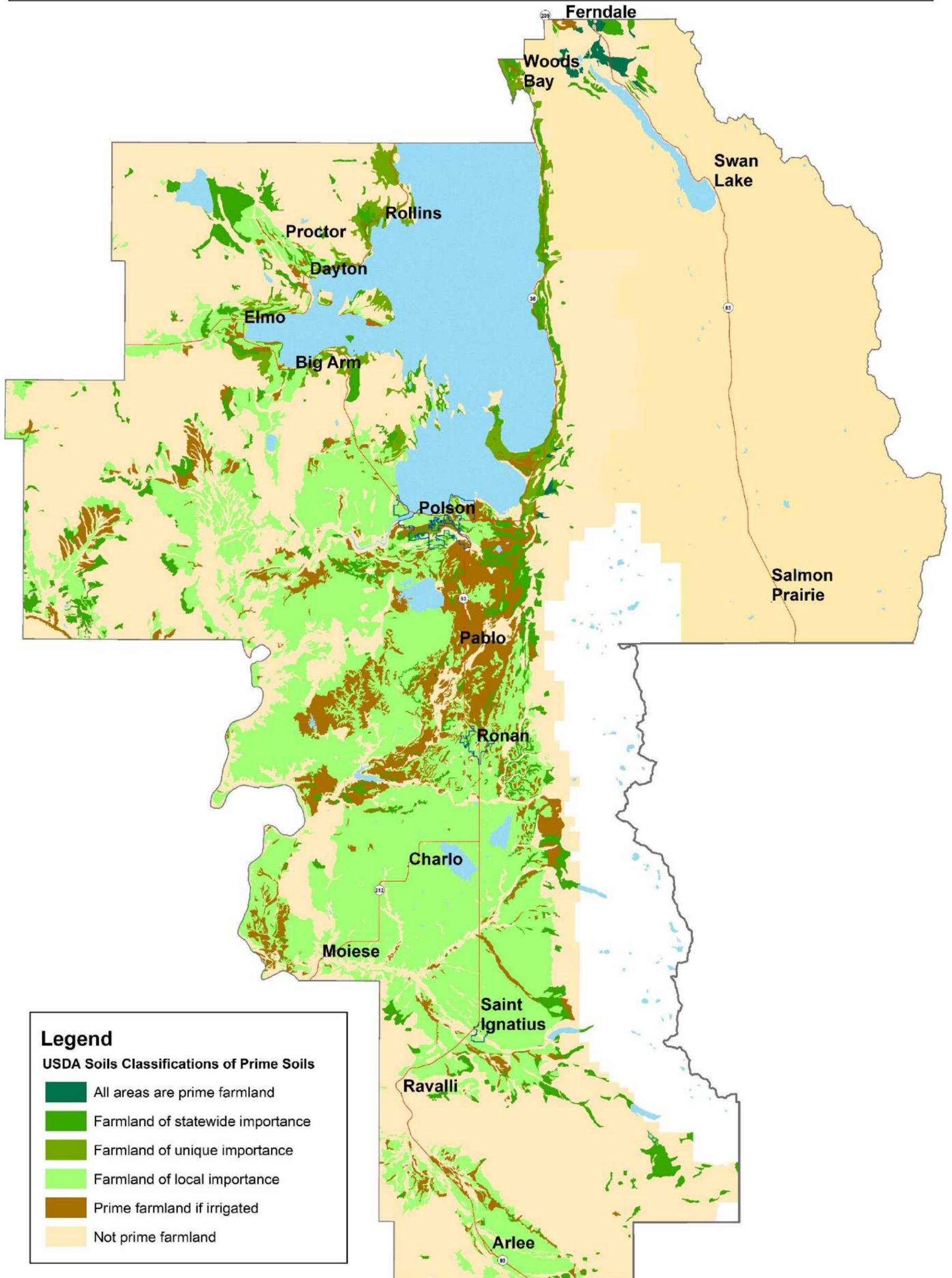
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| 5.4. Promote development patterns that protect natural and cultural assets and promote efficient development and delivery of public services | 5.4.1. Review the Density Map and Text to meet current and anticipated community development and resource conservation needs and update as needed | 157. Complete a review of the Density Map and Text and related elements of this growth policy with the one-year review of this growth policy and develop a reasonable schedule for reviewing the Density Map and Text in the future as needed | BOCC, LCPD, LCPB, GIS | Land use consultants and landowners, CSKT, sewer districts, other interest groups | Short-term | The benefits of the Density Map and Text continue to be realized, but by a larger cross-section of the public, while the negative drawbacks are reduced |
| | | 158. Encourage higher density development in areas suitable for development in and near existing communities as opportunities allow | | | Ongoing | |
| | | 159. Work in collaboration with appropriate jurisdictions and service providers to support and plan for community infrastructure and service extensions that meet the provisions of the Growth Policy and Density Map and Text to accommodate higher density residential, commercial and industrial development proposals near communities equipped to handle the additional growth | | | Ongoing | Adequate opportunities exist for high density development near existing developed areas in a variety of areas throughout the county |
| | | 160. Require a waiver of protest to hook up to city or community sewer and water if and when these services reach a transition zone designated for higher density between a city or community and areas designated for lower density on the Density Map | | | BOCC, LCPD, LCPB, LCAO, LCEH | The number of residences and businesses connected to healthy, safe and efficient community sewer and water systems continues to increase |
| | 161. Encourage existing public service districts and require new public service districts to establish a rebate program for privately financed public service main extensions | | | | | |
| | 5.4.2. Revise standards for developments along streams, wetlands and lakes and in important wildlife habitat areas | 162. Update the Lake County Subdivision Regulations with close contact with state, tribal, and federal agencies that can provide scientific resources to determine how to best dictate standards for such developments. The focus should be on protection of the local natural resources not only for current and future users but for preservation of the resources. The result should not be a "one size fits all" approach to prescribing standards along the various types of water bodies, but should include an adaptable methodology to provide adequate protection of the resources using scientific methods and/or professional resources. | BOCC, LCPD, LCPB, CCPB | CSKT, MTFWP, USFWS, NGOs | Short-term | Appropriate standards are implemented based on scientific recommendations and the attributes of the land and features that protect these important resources |
| 163. Review and consider best management practices (BMPs) and setback requirements for development projects adjacent to water bodies | | | | | | |

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| | | 164. Incorporate criteria into subdivision regulations to avoid disturbance of wetlands and riparian areas to maintain the natural processes and functions they provide, including flood protection, maintenance of surface and groundwater quality, and wildlife habitat | | | Short-term | |
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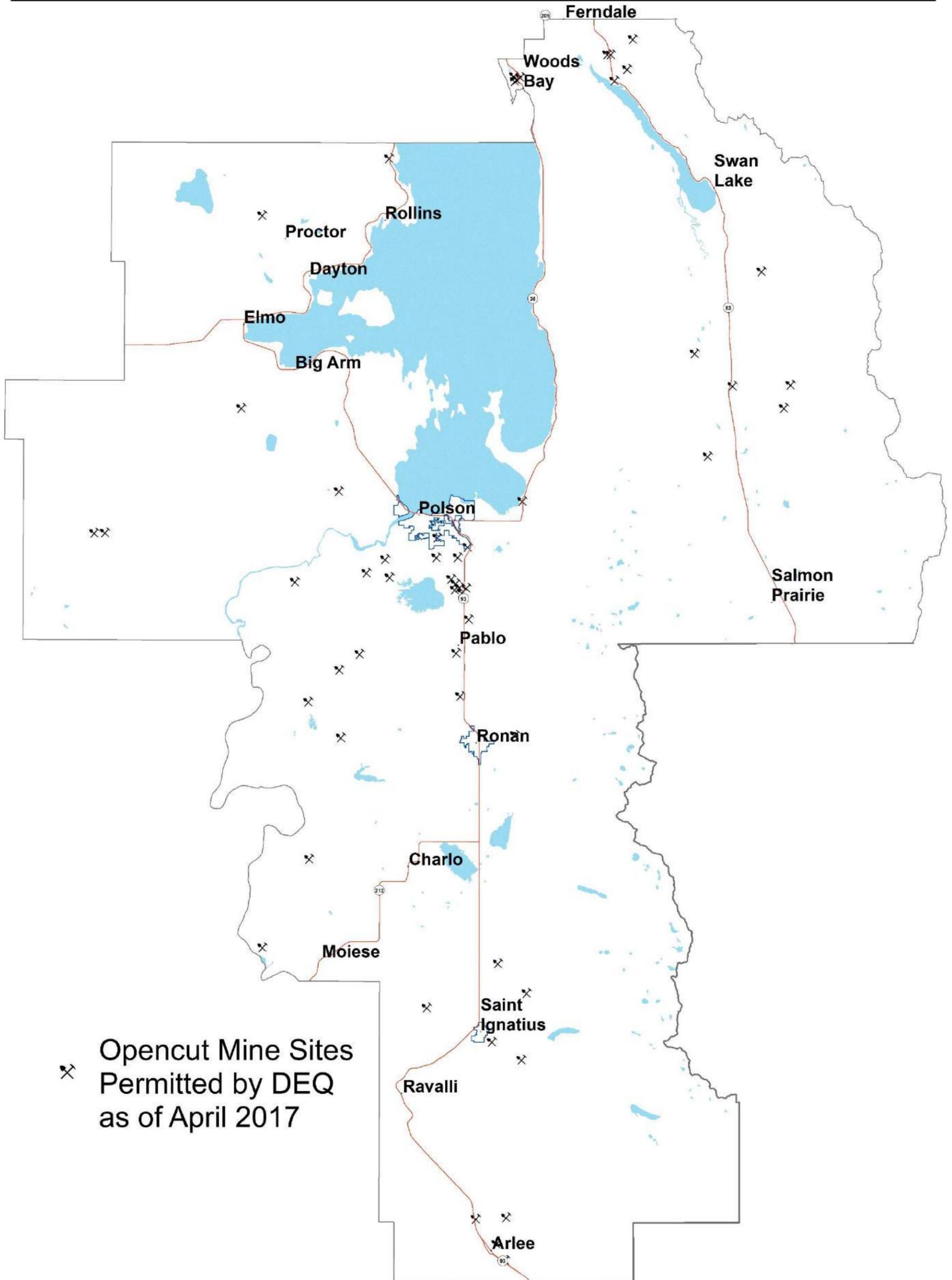
Map 7 - Population Density by Census Blocks, 2010



Map 8 - USDA Classifications of Important Farmland (Per Soil Types)

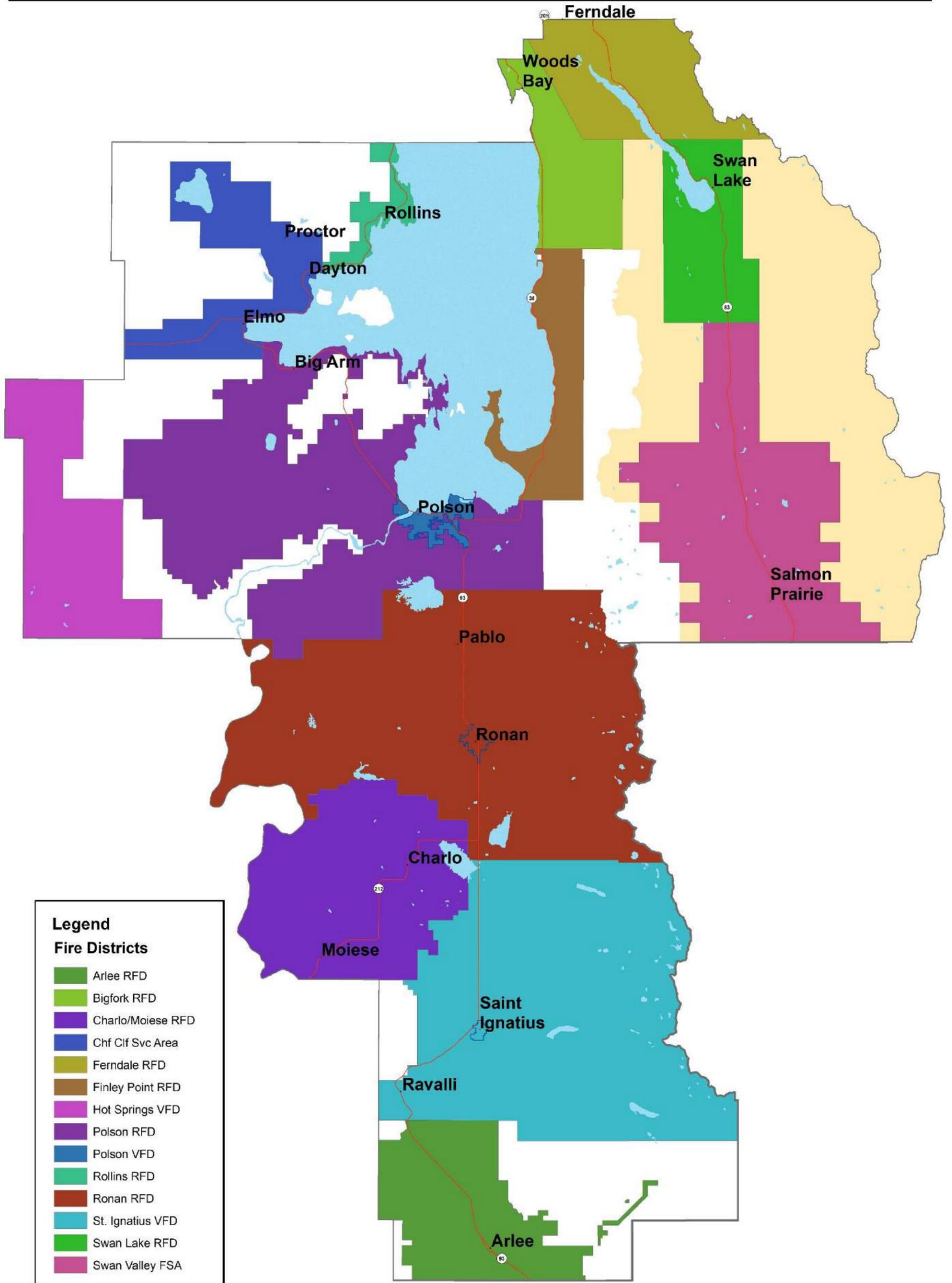


Map 9 - Open Cut Mines Permitted by Montana DEQ

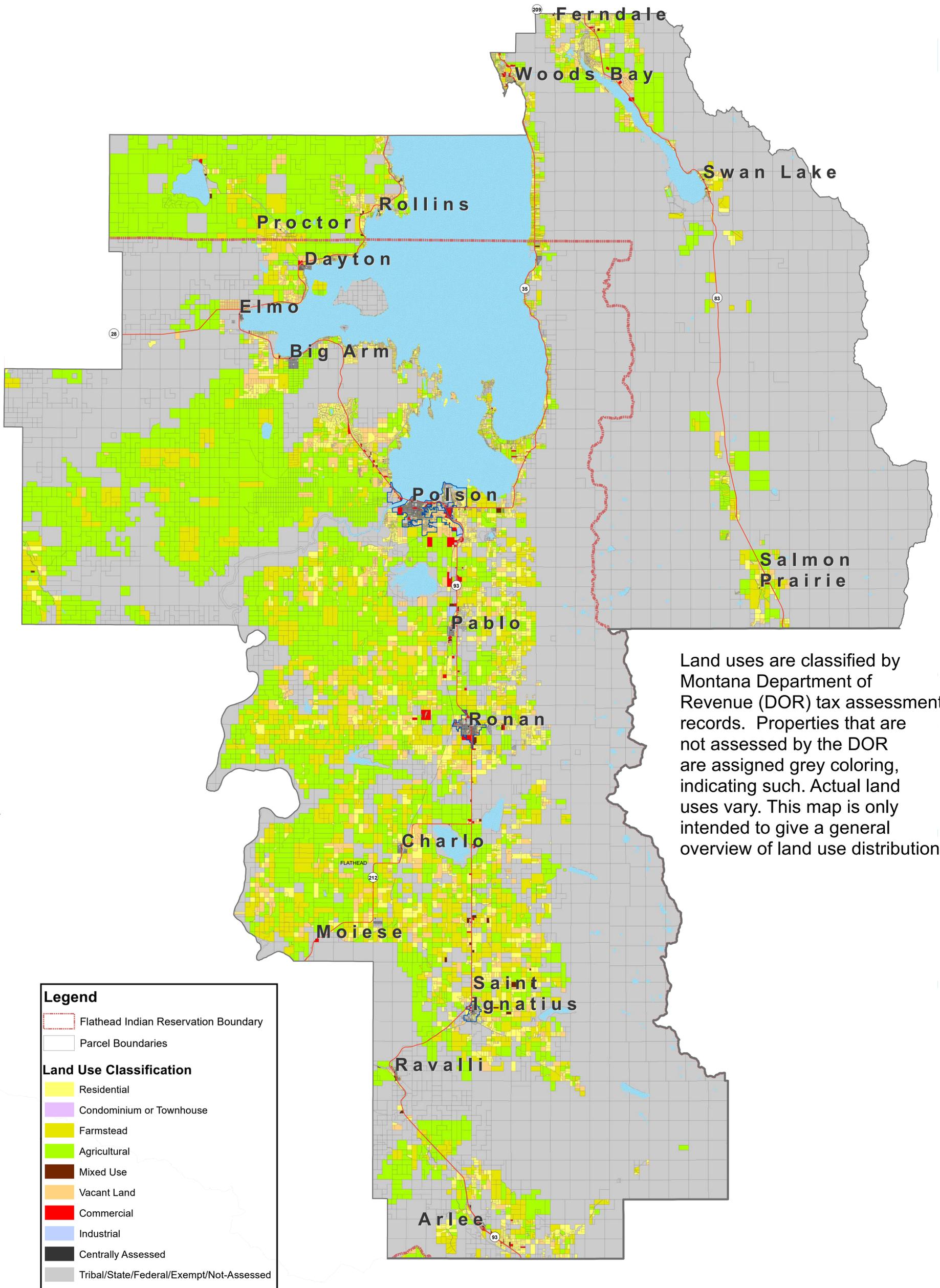


x Opencut Mine Sites Permitted by DEQ as of April 2017

Map 10 - Fire Districts



Map 11 - Land Uses per Montana Department of Revenue



Land uses are classified by Montana Department of Revenue (DOR) tax assessment records. Properties that are not assessed by the DOR are assigned grey coloring, indicating such. Actual land uses vary. This map is only intended to give a general overview of land use distributions.

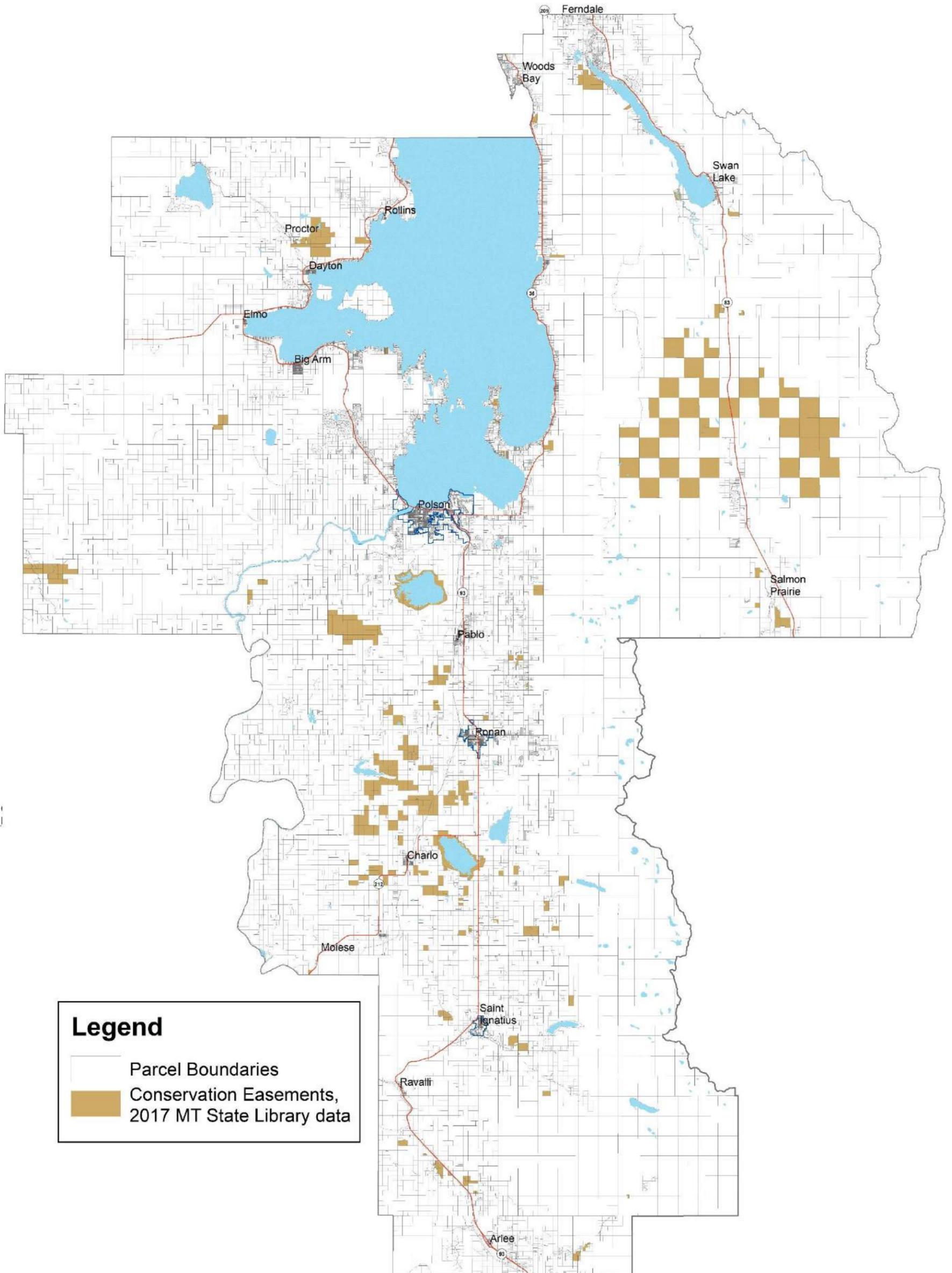
Legend

- Flathead Indian Reservation Boundary
- Parcel Boundaries

Land Use Classification

- Residential
- Condominium or Townhouse
- Farmstead
- Agricultural
- Mixed Use
- Vacant Land
- Commercial
- Industrial
- Centrally Assessed
- Tribal/State/Federal/Exempt/Not-Assessed

Map 12 - Known Conservation Easements, as of 2017



APPENDIX C

LAKE COUNTY DENSITY MAP AND TEXT

I. Purpose

The purpose of the Lake County Density Map and Text is to provide direction to the Lake County Planning Board and the Lake County Planning Department when making decisions related to questions from residents about potential development of property under their ownership. MCA 76-1-601 grants planning boards the ability to propose, and the governing body to adopt, additional elements of a growth policy in order to fulfill the purpose of a growth policy. The Density Map and Text included as an appendix of this policy are viewed to be such an additional element.

The Density Map and Text are to be considered in conjunction with the Lake County subdivision review process, buildings for lease or rent review, capital improvement planning and the goals of conservation development or planning and to provide a framework for parcel creation and development in the County. The map and text have also been designed to help maintain the rural character of agricultural and timber production areas and to protect important wildlife habitat, water quality and natural resources in Lake County and to encourage infrastructure improvements and/or expansion. It is also a purpose of the recommendations and map to direct growth where public services such as fire and police protection, school bus transportation and road maintenance can be provided in a cost effective manner, thereby reducing public expenditures.

The Density Map and Text are intended to find a balance between the Constitutional property rights of individuals, sound public fiscal policy, and good long-range community planning based on the *2018 Growth Policy*.

II. Authority

This Density Map and Text are intended to be in agreement with and supportive of the *2018 Lake County Growth Policy*. As a component of the growth policy, the Density Map and Text are not regulatory and do not confer any authority to regulate that is not otherwise specifically authorized by law or regulations adopted pursuant to the law (e.g. Subdivision Regulations, Buildings for Lease or Rent Regulations, etc.). The governing body within the area covered by the *2018 Growth Policy* must be guided by and give consideration to the general policy and pattern of development set out in this document [76-1-605, MCA]. These recommendations in no way inhibit the type of land use, development, or recovery of any mineral, forest, or agricultural resources by the owner thereof.

III. Applicability

This Density Map and Text apply to the creation of parcels of land that did not exist at the time of the adoption of the Lake County Density Map on August 24, 2005, and that fall under the jurisdiction of Lake County, Montana. The Density Map and Text in no way prohibits the use of

parcels of land that existed at the time of adoption (8/24/05), whether conforming or not conforming to the recommendations contained herein.

IV. Rationale and Methodology for the Creation of Density Map and Text

In order to develop the Density Map itself, Lake County Planning Department and Geographic Information Systems Staff first reviewed the applicable goals and objectives of the *2003 Lake County Growth Policy*. They then compiled maps showing population density, parcel size, wildlife habitat, land use, prime soils, wetlands, vegetation, irrigated lands, zoning districts and municipal and water and sewer district boundaries. Staff then took into consideration population growth projections and provided substantial build-out and transition areas abutting existing population centers. Once a draft map was complete, Staff drove the roads of Lake County and reviewed visible criteria such as road infrastructure, land uses, distances from service centers and a host of other factors and modified the map accordingly.

Planning Department Staff developed this appendix by combining goals and objectives from the *2018 Lake County Growth Policy* and the Density Map. The Lake County Planning Board, Board of County Commissioners, and interested parties provided guidance and this appendix was modified based on comments received.

Throughout the development of the Density Map and Text, Lake County has weighed the goals of the *2018 Growth Policy* with current economic issues, natural resource values, the character and development potential of various areas of Lake County and property rights concerns.

The Density Map and Text are intended to find a balance between the rights of individuals, sound public fiscal policy and good long-range community planning based on the *2018 Growth Policy*. The most appropriate use of land in the various density areas is based on the wishes of the landowners and any other rules and regulations that are in effect (e.g. Buildings for Lease or Rent Regulations, Subdivision Regulations, Floodplain Regulations, Lakeshore Protection Regulations, etc.).

V. Development Recommendations

1. On individual properties, the height and bulk of future buildings, the area of front yards, courts or other open spaces, the future uses of the lands or buildings and setback distances from all lots lines are limited only by the desires of the landowners and by all rules, regulations and covenants in effect at the time of local government review of development. Where zoning district-specific regulations are in effect, they take precedent over the Lake County Density Map and Text.
2. All parcel creation in Lake County's jurisdictional area must be guided by and give consideration to the development densities established in the Density Map and Text. Where the Density Map shows an area of Lake County with a recommended density, parcels should not be created with an average density greater than the number shown except as provided herein (see Section VI).

The Staff and decision making body will propose and adopt findings and conclusions that demonstrate consideration of these guidelines in reviewing subdivisions and other development proposals. This may include strict compliance, deviation from, or significant ramping up or ramping down of the guidelines discussed herein based upon the circumstances of particular situations in accordance with Section VI below.

3. In the Arlee, Ravalli, St. Ignatius, Charlo, Ronan, Pablo, Big Arm, Elmo, Dayton and Woods Bay community growth areas shown in brown on the Density Map, the recommended development density depends on the types of water supply and sewage disposal facilities as shown on Table 1 (below). In all cases, stricter, adopted State or local sanitation regulations take precedent over the densities shown below when applicable.

The provisions of subsections 4. and 5. below apply to development in community growth areas and around public water supplies and conformance of a proposal with these provisions will be evaluated during the subdivision review process.

4. When new development is proposed in a community growth area, the development should wherever possible be compatible with the already established pattern of development by continuing existing rights-of-way and travel corridors and providing for municipal or public utilities to be extended either in conjunction with the proposed development or in the future. When development is proposed in the Ronan and St. Ignatius community growth Areas but is not annexed into those municipalities, the developers should waive the right to protest future annexation of the lots, provide for off-street parking, pedestrian travel and snow removal sufficient to serve the homes and businesses and should design the rights-of-way and building setback distances with sufficient space for future municipal utility installation, walkway and roadway expansion. The placement of living and business units and other improvements on the lots should also be designed for future land division by locating buildings toward a property edge, while allowing appropriate setbacks, and should provide for more intensive land use and annexation in the future.
5. Where new parcels are created within a 1,000-foot radius of a public water supply including the Ronan, Pablo, Charlo, St. Ignatius and Tribal systems, the units should either connect to a public or municipal sewage disposal system or include at least two barriers to ensure the public water supply is not impacted. In all cases, stricter, adopted Tribal, State or local sanitation regulations take precedent. The following are considered barriers for the purposes of this appendix:
 - a. Level II (nutrient reduction) or advanced treatment technology for individual or multiple user sewage disposal systems.
 - b. An established operation and maintenance plan with required pumping schedule including annual inspection by an independent qualified party as approved by the appropriate jurisdiction.
 - c. Pressure-dosed distribution systems.

- d. A soils investigation with soil boring(s) demonstrating a confining unit at least 20 feet in thickness.

Table 1, Recommended Development Densities for Community Growth Areas

| Water Supply System | Sewage Disposal System | | | |
|---|---|--|---|---|
| | Municipal (includes Lake County water and sewer districts) | Public (15+ units or 25+ users) | Multiple User (3-14 units or up to 24 users) | Individual or shared (1-2 units) |
| Municipal (includes Lake County water and sewer districts) | If annexed, comply with municipal zoning (if applicable). If not annexed, up to 12 units per acre. | If annexed, comply with municipal zoning. If not annexed, up to 12 units per acre. | If annexed, comply with municipal zoning. If not annexed, up to 4 units per acre or the highest allowed by law, whichever is greater. | If annexed, comply with municipal zoning. If not annexed, up to 2 units per acre or the highest allowed by law, whichever is greater. |
| Public (15+ units or 25+ users) | If annexed, comply with municipal zoning (if applicable). If not annexed, up to 12 units per acre. | Up to 4 units per acre or the highest allowed by law, whichever is greater. | Up to 4 units per acre or the highest allowed by law, whichever is greater. | Up to 2 units per acre or the highest allowed by law, whichever is greater. |
| Multiple User (3-14 units or up to 24 users) | If annexed, comply with existing zoning (if applicable). If not annexed, up to 4 units per acre. | Up to 4 units per acre or the highest allowed by law, whichever is greater. | Up to 4 units per acre or the highest allowed by law, whichever is greater. | Up to 2 units per acre or the highest allowed by law, whichever is greater. |
| Individual or shared (1-2 units) | If annexed, comply with municipal zoning (if applicable). If not annexed, the highest allowed by law. | Up to 2 units per acre or the highest allowed by law, whichever is greater. | Up to 2 units per acre or the highest allowed by law, whichever is greater. | Up to 2 units per acre or the highest allowed by law, whichever is greater. |

VI. Standards of Evaluation for development in consideration of the Density Map and Text

The Planning Department and Board of Commissioners may allow development density other than that described on the Density Map when findings and conclusions for each proposed development are adequately demonstrated showing that such use:

1. Will observe the purpose, goals, and objectives of the *2018 Lake County Growth Policy*,
2. Is harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area,
3. Is not hazardous or disturbing to existing or future neighboring properties,
4. Is served adequately by essential public facilities and services such as roadways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services,
5. Does not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community,
6. Does not facilitate or promote uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, dust, odors, vibration, water pollution, air pollution, or safety hazards; and
7. Provides vehicular approaches to the property which shall be designed as not to create an interference with traffic on surrounding public thoroughfares.

Development proposals that could result in a density other than that described on the Density Map for a specific property that could be considered include but are not limited to, cluster communities, additional unit(s) for the landowner's family members, farm, ranch or orchard workers, accessory dwelling units, conservation development, etc.

Recommendations made based on the Density Map and Text will consist of both day to day review of proposed development, and decisions related to subdivision review and other regulated review processes. When development is proposed involving day to day decisions, the Board of Commissioners grants the Planning Department authority to make recommendations regarding whether the proposed development meets the recommended density. When a proposal involves development that is regulated by adopted regulations, the Board of Commissioners will review the proposal using the Density Map and Text including the standards of evaluation listed in this section in making a determination, in addition to any adopted regulations.

VII. Separability

If any section or provision of these recommendations is declared unconstitutional or invalid by a court of competent jurisdiction, the decision shall not affect the validity of the Density Map and Text, or any part thereof other than the part declared to be unconstitutional or invalid.

VIII. Review and Amendments

The Density Map and Text are a component of the *2018 Lake County Growth Policy*. For further information regarding the review and amendment process, see the Updates/Revisions section of Chapter 3 of this Growth Policy on pages 13 - 15.

IX. Administration and Appeals

Lake County Planning Department Staff shall interpret and apply the Lake County Density Map and Text. Staff decisions may be appealed or commented upon to the Lake County Planning Board and/or the Lake County Commissioners as part of the review process and should include an application letter describing the aggrieved party's position as well as a fee established by the Board of Lake County Commissioners.

X. Definitions

Accessory dwelling unit (ADU)

An accessory dwelling unit or detached accessory dwelling unit is a separate living space within a house or on the same property as an existing house. The property owner must live in either the house or the attached or detached accessory dwelling unit.

Agriculture

The historic or current use of land for the production, keeping or maintenance, for sale, lease or personal use, of plants and animals useful to man, including but not limited to: forages and sod crops, grains and seed crops, dairy animals and products, livestock of all kinds, bees and apiary products, trees and forest products and fruits of all kinds. This does not include land used for mineral extraction.

Capital Improvements Plan (CIP)

Also known as a Community Infrastructure Plan. A five year plan, which identifies capital projects and equipment purchases, provides a planning schedule and identifies options for financing the plan. This plan, although flexible, will be updated periodically to respond to changing circumstances. A capital improvement is a substantial, nonrecurring expenditure for a physical improvement with a long useful life.

Cluster Development

A subdivision with lots clustered in a group of five or more lots that is designed to concentrate building sites on smaller lots in order to reduce capital and maintenance costs for infrastructure through the use of concentrated public services and utilities, while allowing other lands to remain undeveloped [76-3-103(2), MCA].

Commercial

Any use involving the sale, rental, or distribution of goods, services, or commodities, either retail or wholesale, or the provision of recreation facilities or activities for a fee.

Conservation development

A subdivision designed to either concentrate building sites on a specific portion of a larger property in order to reduce capital and maintenance costs for infrastructure development or to create smaller, separated lots located on the least productive or environmentally sensitive areas of a landowner's property. In both cases the productive and environmentally sensitive lands remain undeveloped.

Creation of parcels

The creation of parcels specifically includes lots created through subdivision review (76-3-101, et. seq, MCA) and as defined in 76-3-103, MCA, court order (76-3-201[1][a], MCA), condominium declaration (76-3-203, MCA), lease or rent as defined in this appendix, family transfer exemption, agricultural exemption (76-3-207[1][c], MCA), including lots that had been created through the use of agricultural exemptions at the time of adoption of this document whose owners seek to have those exemptions lifted, and lots converted to fee status from Tribal and Individual Trust status. In general terms, for an additional parcel to be created from an existing parcel in conformance with the Density Map and Text, a landowner must possess within 10 percent of the acreage or development rights amounting to twice the average density, shown on the Lake County Density Map.

In the case where a lot or lots exist at the time of adoption of the Density Map and do not comply with the standards contained in the Density Map and Text, the boundaries may be relocated in non-conformance with the terms of this appendix so long as no additional parcels are created.

Density

The average number of residential, commercial or industrial units allowed per acre. Density is distinct from minimum lot size. A land division may create lots that are smaller than the required density, provided that the overall average density does not exceed the maximum number of units per acre. The maximum allowed density is not a right, but could be approved through subdivision review or other review processes.

Guest house

An attached or detached accessory building designed for occupancy on a short term basis by guests of the occupants of the primary residence. Guest houses shall not be used for rental purposes and shall not be independently rented or offered for rent.

Home occupation

Any activity carried out for gain by a resident and conducted within the resident's "unit" as defined in this appendix. A home occupation is subordinate to the primary residential use and

may be conducted within the residence or an accessory structure. The residential appearance of the structure/property should be maintained.

Land use

See "Use"

Lease or Rent

The act of a landowner providing for or otherwise allowing another party to occupy either 1) a building or portion of a building, or 2) a property or portion of a property in exchange for financial or other consideration.

Multiple user wastewater treatment system

A non-public wastewater treatment system that serves or is intended to serve three through 14 units or up to 24 persons daily.

Multiple user water supply system

A non-public potable water system that serves or is intended to serve three through 14 units or commercial businesses or up to 24 persons daily.

Municipal

Pertaining to an incorporated city or town or a Lake County water and/or sewer district.

Planned Unit Development

A land development project consisting of residential clusters, industrial parks, shopping centers, or office building parks that compose a planned mixture of land uses built in a prearranged relationship to each other and having open space and community facilities in common ownership or use [76-3-103(11),MCA].

Public wastewater system

A system for collection, transportation, treatment or disposal of wastewater that serves 15 or more units or 25 or more persons daily for a period of at least 60 days in a calendar year.

Public water supply system

A potable water system that serves 15 or more units or 25 or more persons daily for a period of at least 60 days in a calendar year

Service area

A geographic area where services such as water, sewerage, and/or utilities are available for utilization by construction projects or other land development.

Subdivision

A division of land or land so divided that it creates one or more parcels containing less than 160 acres that cannot be described as a one-quarter aliquot part of a United States government section, exclusive of public roadways, in order that the title to the parcels may be sold or otherwise transferred and includes any resubdivision and a condominium. The term also means

an area, regardless of its size, that provides or will provide multiple spaces for rent or lease on which recreational camping vehicles or mobile homes will be placed.

Unit

Any structure, building or portion thereof, including businesses and businesses within a larger structure, which is intended or designed for human occupancy and/or use and is supplied with water by a piped system. All units shall comply with local and state sanitation requirements.

Examples of a unit* include:

- 1) A single-family residence and associated outbuildings with one guest house that is not used for rental purposes is an example of a residential unit.
- 2) A bed and breakfast is one unit if contiguous internally.
- 3) A single-family residence with a home occupation is considered one unit.
- 4) A single business enterprise is considered one unit. The business may have one structure with a water supply unless allowed under Section VI.
- 5) Office buildings with multiple offices sharing a common water/wastewater facility is one unit.
- 6) Other development not having a piped water supply but that may result in significant impacts to adjacent properties, public services, and/or local infrastructure may be considered by Planning Staff to be a unit (e.g. wedding venue, etc.).

*A garage or shop with a bathroom is not considered an additional unit.

Examples of multiple units include:

- 1) Multifamily structures containing multiple units, for example, a duplex contains two units.
- 2) Office buildings with multiple offices having individual water supplies consist of multiple units. Each office with a water supply is a unit.
- 3) A single-family residence and an accessory dwelling unit consists of two units.
- 4) A single-family residence with an additional unit for a family member or worker consists of two units.

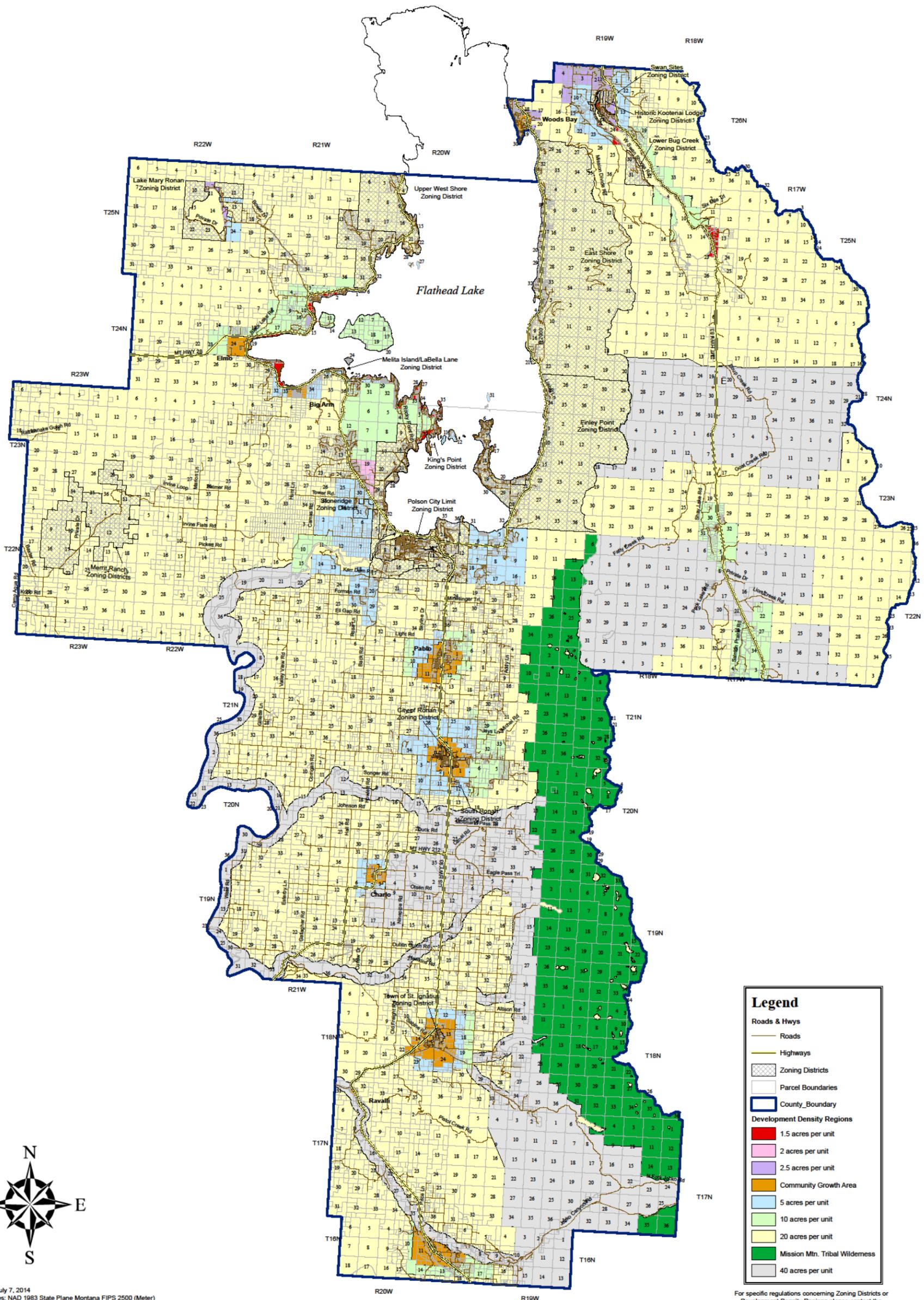
Use (or land use)

The purpose or activity for which land or buildings are designed, arranged, or intended, or for which land or buildings are occupied and maintained. Examples of types of land uses include residential, commercial, industrial, etc.

Zoning district

An area established under the authority of Title 76, Chapter 2 MCA that includes regulations governing the use, placement, spacing and size of land and buildings.

Lake County Density Map



Cite:
 Updated July 7, 2014
 Coordinates: NAD 1983 State Plane Montana FIPS 2500 (Meter)
 Projection: Lambert Conformal Conic
 Map Extent: 1:151,000
 Originating Organization: Lake County Department of GIS
 Author: Unknown
 Phone: (408) 883-7212
 Email: wfahner@lakemt.gov

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Effective: October 1, 2005 (Resolution 05 - 38)
 Amended: August 21, 2007 (Resolution 07 - 29)

Legend

- Roads & Hwys
 - Roads
 - Highways
- Zoning Districts
- Parcel Boundaries
- County_Boundary
- Development Density Regions
 - 1.5 acres per unit
 - 2 acres per unit
 - 2.5 acres per unit
 - Community Growth Area
 - 5 acres per unit
 - 10 acres per unit
 - 20 acres per unit
 - Mission Mtn. Tribal Wilderness
 - 40 acres per unit

For specific regulations concerning Zoning Districts or Development Density Regions please contact the Lake County Planning Department

