

# 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.

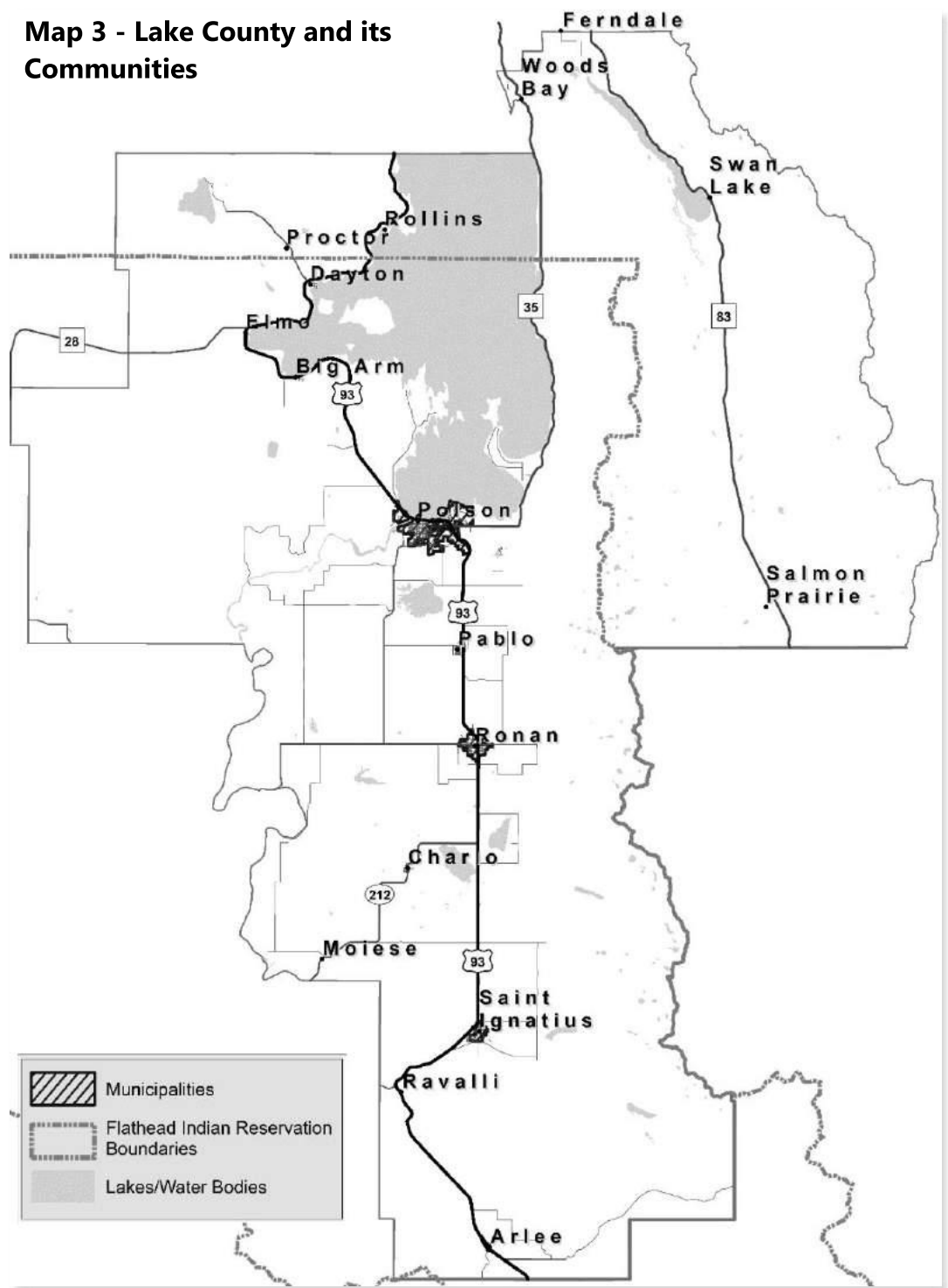
### History

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.<sup>i</sup>

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.<sup>ii</sup>



*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*

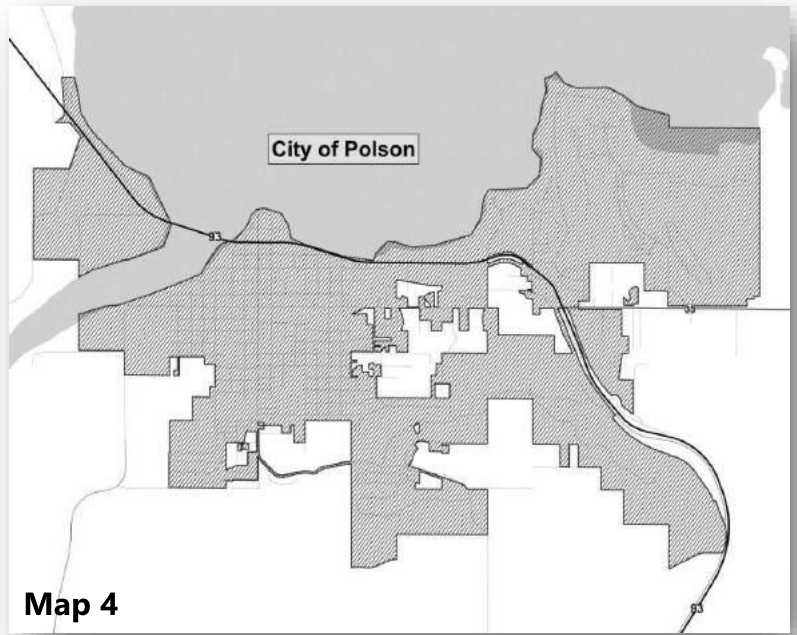
The extent of Lake County’s diversity is not only because most of the county overlaps with an Indian reservation. Rather, the term is applicable in all facets of the county, including the varied communities.

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

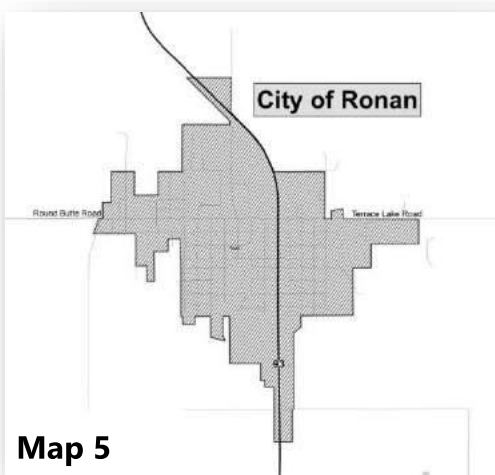


**Map 4**

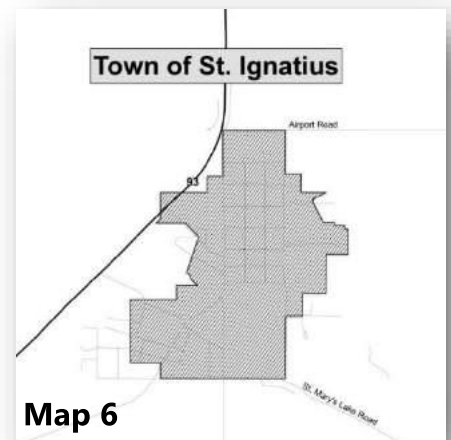
document, and the Lake County Commissioners who adopt it, want people from all over the county to know that this document isn’t just based on the vision of a small handful of community leaders from around Polson, or even Ronan and St. Ignatius. This document must reflect Lake County, and Lake County 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**