



For 87 years, five generations of Troutwines have built homes. . .



raised families . . .

fished . . .



hunted . . .



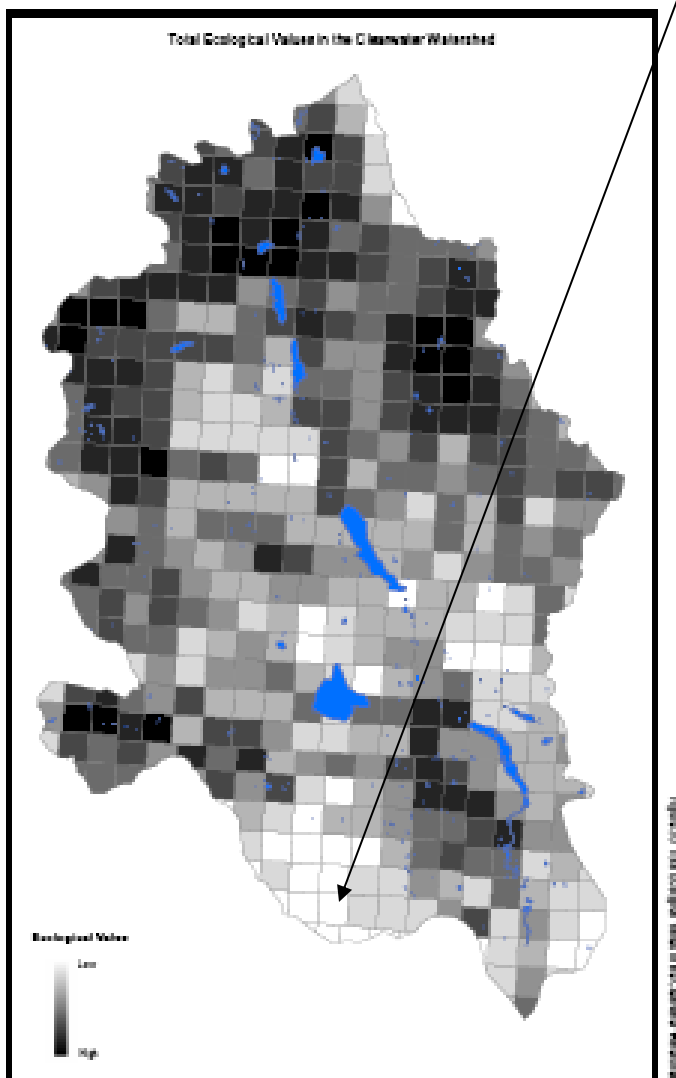
ranched . . .



. . and respected the land.



And, it is NOT rated as having a high ecological value, as shown in the Clearwater Resource Council assessment of the Clearwater Valley.



It's not a wilderness; it's a ranch as well as the Troutwine legacy. We'd like to be able to pass it on to the next generations.

Information published in the Missoula County *Regional Land Use Guide*, signed on August 26, 2002 and the *Seeley Lake Community Development Guide*, signed on September 9, 2002 lead us to conclude that the Clearwater Junction and upper Blanchard Creek properties belong in either:

*Open lands, very low density residential*  
or  
*Open lands, low density residential.*

In particular, the upper Blanchard Creek properties most accurately fit into the *Open lands, very low residential* category.

Submitted by  
Marvin Troutwine and family

## **Supporting documentation ~ for October 27 meeting**

(prepared by Judy Troutwine)

**The goal** is to meet the needs of as many landowners in the area as possible while protecting natural resources and aiming for a stable community and quality of life. Impacts on community and individual finances are to be considered as well. Ideally, land use decisions provide a win-win situation for all concerned.

Habitation on upper Blanchard Creek began during the 1800's. There are still no public utilities and no paved roads. The Troutwine family has owned the upper meadows since 1919; this proves the hard work and dedication of the family to solid values. Many in local communities and local government are aware of the financial difficulties and hardships involved and the increased pressures financially and environmentally occurring at this time.

The sections below provide sound information towards making land use decisions.

### **Missoula County and Seeley area guides to making decisions**

Missoula County Regional Land Use Guide, signed on August 26, 2002

The guide prepared by the Missoula county commissioners briefly defines land use categories and planning area designations. It also states some general goals for each area. The Seeley Lake Planning area is one of those planning area designations.

Seeley Lake Community Development Guide, signed on September 9, 2002

The guide prepared by the Seeley Lake community provide more detailed information for the community area than does the county document. It also states some land use categories or designations similar to those in the county document and community goals and policies for land use.

Landscape Assessment for the Clearwater Valley of Montana. The Clearwater Resource Council has prepared a *draft* landscape assessment (dated January 6, 2006) as an aid in making land use decisions in the Clearwater River Drainage. This includes descriptions of natural resources in the Seeley Lake area. It was compiled from resource management agencies such as the US FWS and MT DNRC and others with technical assistance from Jon Haufler of EMRI. The document includes some natural resource management principles from the Seeley Lake Community Development Guide and also provides natural resource issue definitions and maps. This is very useful and valuable information to use as a reference when making land use decisions.

The next section refers to certain information in each of the above documents as it pertains to the Blanchard – Clearwater junction area non-industrial private lands. The sections following the next section refer to impacts, such as information in the draft landscape assessment document to be considered in making dwelling density recommendations and financial impacts on individuals and communities.

### **Land use categories**

The Seeley Lake Community Development Guide defines the difference between *resource lands* and *open lands*.

- *Resource lands* (page 6) are in general not intended for residential use but in some situations may have dwellings built on them. They are reserve lands saved for future use at a time that no other land is available for development. This designation applies primarily to federal, state, and Plum Creek lands. Lands with steep slopes or other strong limitations to development may be included in this designation.
- *Open lands* (page 11) in general are areas having fewer impediments to development but are still rural in nature. Development suited to the environment is to be encouraged in these lands.

The *open lands* designations has four options

- very low density residential
- low density residential
- residential
- town residential

There is some agreement between the county guide and the Seeley community guide (see Appendix for a more detailed discussion). The county's guide document also mentions four levels of residential. Two of those are for rural (open) areas. The county's definition of *rural low density residential* appears to correspond to the Seeley guide's definition of *very low density residential*. This category is intended for forest and agricultural lands. Also, there is apparent correspondence between the county's *rural medium density residential* and the Seeley guide's *low density residential*. This category is for open, rural lands but not necessary for forest or agricultural lands.

Particular lands being discussed in today's meeting most accurately belong, according to the county and Seeley guides, in one of these two categories defined by the Seeley guide:

- Open lands, very low density residential
- Open lands, low density residential

In particular, the upper Blanchard Creek properties most accurately fit into the open lands, very low residential category.

While the designation has a stated allowed maximum density in the Seeley guide, it is not clear whether other factors may be considered in the actual maximum density that is approved for an area.

## **Natural resource impacts**

These are well considered by studying the Clearwater Resource Council draft landscape assessment mentioned above. The maps indicate that the upper Blanchard Creek properties have moderate natural resources and moderate development potential. These are consistent with the open lands, very low density residential designation which provides for some development while protecting natural resources.

## **Financial impacts to community and individuals**

Schools and infrastructure costs. This is deferred to experts on the subject of how much it is expected that individuals living on developed lands would contribute to the local economy and tax base, and how much would be borne by current residents. The timing of expenditures and revenues are to be considered.

Even within the Troutwine family, there are different needs and different potential uses of the land. Some members of the family are retired, some visit the land as a recreation or long-term interest in forestry, and some rely on the property for income. Some enjoy solitude while others prefer an active social life. Some members of the family prefer no zoning, others would be content with a density of one dwelling per 20 or 40 acres.

## **Appendix**

### **Land use categories to consider for the upper Blanchard Creek property. The categories are written as in the named sources below.**

#### **Missoula County Regional Land Use Guide, August, 2002, p. 4**

##### **OPEN AND RESOURCE LAND**

The plan recognizes the role natural resources play in the life style of the citizens of Missoula County. In order to promote orderly development and protect the resource that stimulates that development, the designation of Open and Resource Land is made to protect areas of important natural resource production and extraction (i.e., forestry and agriculture); to protect areas of natural hazard (i.e. steep slopes and floodways); and to reserve land for the future where development during the time frame of this plan would be premature and costly. While Open and Resource Land is not a primarily residential designation, residential development of no more than one dwelling per forty (40) acres would be in keeping with the intent of the classification.

The development of agricultural, recreational, and forestry activities with their usual associated uses should be encouraged within these areas.

##### **RESIDENTIAL**

###### **RURAL LOW DENSITY RESIDENTIAL**

One dwelling per ten acres is the maximum density of this designation. Most development of this type will be in areas wishing to maintain a rural atmosphere. Agricultural and horticultural activities are secondary to the residence but are an important quality of this classification. This designation also provides less impact than higher densities, where environmental protection is needed for fragile areas or where more intense activities cannot be supported due to physiographic, hydrologic, biologic, and economic conditions. Where possible, clustering of dwelling units is encouraged to maintain undivided open land to remain undisturbed or in active resource production.

###### **RURAL MEDIUM DENSITY RESIDENTIAL**

A maximum density of one dwelling per five acres in this designation allows for more intense development while reserving a certain amount of open land to maintain a rural character. This type of designation will still provide some environmental and economic protection in areas unable to support more intense development due to physical and socio-economic constraints.

#### **Seeley Lake Community Development Guide, September 9, 2002**

This document describes desirable community living, infrastructure, and ecological conditions. Some definitions are included such as those below.

Undeveloped land designations, p. 6. The only designation listed is *Resource lands*, p. 6: Resource Lands refer to an area of land that is essentially unimproved and used for the preservation of natural resources, the managed production of resources such as timber and agriculture, outdoor recreation, buffer zones, view protection, or public health and safety. .... This designation primarily applies to lands owned and/or managed by the US Forest Service, Plum Creek Timber Company, and Montana State lands outside of the residential core area.

(Note by Judy: The Troutwine property on Blanchard creek does not fall into this category.)

Policies for Open Space, p. 11.

Encourage development that is suited to the environment. ... Promote conservation.

*Very Low Density Residential*: A Very Low Density Residential classification is used when lands have development limitations beyond the availability of community services. Often, streams, rivers, wetlands, and associated high groundwater and non-scenic open space resource values place constraints on development. In other cases, steep slopes can be a limiting factor to development.

Residential density is allowed up to 1 dwelling unit pr 10 acres. Access is generally available by adequate roads. These lands are generally removed from the more concentrated populations and are not appropriate for more density at this time. It is especially important that development of these parcels respect the natural resource concerns of the areas. Property improvements, such as residences and accessory structures, should be clustered together.

(Note by Judy: The upper Blanchard creek area actually has few such limitations and is more easily developable than what is required to be in this classification. The primary limitation is distance from Highway 200 and markets, and lack of electricity. The CRC landuse maps in fact indicate that the area has moderate potential for development. The upper Blanchard Creek property has been lived on for more than 100 years.

This designation appears to be similar to the Missoula County Regional Land Use Guide, *RURAL LOW DENSITY RESIDENTIAL* designation.)

### **Also see attached information sheet for SLCC Oct. 9 meeting: Clustering on Resource Protection Lands for SLCC Discussion 10/9/06**

- A. Resource Protection Lands 1. Areas with highest ranking for fish and wildlife. Housing density should be no more than 1 dwelling per 640 acres.
- B. Resource Protection Lands 2. No more than one dwelling per 160 acres.
- C. Resource Protection Lands 3. No more than one dwelling per 80 acres.
- D. Resource Protection Lands 4. Limited development potential due to steep slopes, etc. No more than one dwelling per 40 acres.

(Note by Judy: Item D. *Resource Protection Lands 4* is the one mentioned in our letter of Oct. 13 to SLCC and Pat O'Herren. These designations are for undeveloped land but may include residences. This may be a

refinement of the *Resource Lands* designation mentioned in the 2002 Seeley Lake Community Development Guide, p. 6.

This is also more or less consistent with the Missoula County Regional Land Use Guide, *OPEN AND RESOURCE LAND* designation. (which allows one dwelling per 40 acres.)

### **In Conclusion:**

It appears that there are two zoning options. These are described somewhat differently by the Missoula County documents and the 2002 Seeley Lake document. The 2006 information sheet by SLCC seems to be similar to the Missoula County *Open and Resource Land* designation. The SLCC information sheet does not mention the county 'Rural Low Density Residential Designation', although similar wording is used in the Seeley Lake year 2000 document (that document also mentions a one dwelling per 5-acre designation – again the wording varies a bit but seems to match the county's medium density zoning definition).

The description of current land use/ potential developability of the upper Blanchard Creek properties fit more accurately into the county *Rural Low Density Residential* designation which corresponds to the 2002 Seeley Lake *Very Low Density Residential* designation.