



FRENCHTOWN INTERCHANGE ZONING DISTRICT

Part 1 Zoning FAQ

For Keeping Frenchtown and Volunteer Use Only

Why does this concern me?

Your property is located within the area proposed for zoning by the community organization, Keeping Frenchtown. Keeping Frenchtown has proposed the zoning, known as the Frenchtown Interchange Zoning District or “FIZD” to protect the neighborhood character of this community and to protect individual property values and existing land uses. If you agree with the proposed zoning and would like to see the district adopted, you can support Keeping Frenchtown’s mission by signing the FIZD Zoning Petition and expressing your support in public comment to the Missoula County Commissioners for the proposed zoning district.

Why is this a good thing? What’s in it for me?

By zoning ourselves, we will have some say in the future development of our community. Zoning will allow the community to maintain the rural beauty while allowing growth in a responsible way. Future allowable development will have guard rails to limit impacts on current residents and their property values, as well as our water supply and environmental resources. If we do nothing, Missoula County Commissioners will be unable to condition development or deny incompatible land uses that harm our neighborhood character. Simply put, without zoning there are no restrictions or guardrails for any types of land uses, no matter how incompatible they may be with the existing residential character of this neighborhood.

What is the approval process?

Keeping Frenchtown will need to collect new petition signatures from at least 60% of the affected real property owners in the area proposed for zoning. If they are successful, the petition will be submitted to the Missoula County Planning Commission and the County Commissioners to decide whether to approve and adopt the zoning district. In the meantime, community members will have a right to voice their opinions through online public comment and in-person public meeting(s) before the County. The County will have to vote to adopt or deny the petition after hearing all public comment and considering the Missoula County Planning Department’s staff recommendation.

Why isn’t the area being zoned larger? Why was my property included?

Title 1 (also known as “Part 1”) zoning requires a 60% majority and at least 40 acres of property. The Frenchtown Interchange Zoning District has been designed to encompass the rural residential neighborhood surrounding the interchange off Interstate 90. If adopted, the zoning

district boundaries can be amended to encompass more of the surrounding neighborhood upon petition to Missoula County.

What are the downsides of zoning?

If you choose to change the type of property you currently have, you will be restricted to the zoning laid out in the zoning plan. You will have to abide by the rules drafted in the zoning resolution, which will be designed to mirror the Missoula County Zoning Regulations. By signing, you are agreeing that the neighborhood should remain a rural residential community without incompatible commercial or heavy industrial uses.

I am concerned about landowners' property rights. Why is this important for the community?

Zoning is an important tool for communities to help them guide future land use development and restrict unwanted land uses. This is important for protecting community resources such as the groundwater aquifer, but also for protecting residential property values from “nuisance”-type land uses such as gravel mining or other heavy industrial or commercial activity.

What if I already live in a neighborhood with land use rules, like from an HOA or private covenants?

Your rules are grandfathered in and apply. You will continue to abide by them in addition to the new zoning regulations.

Are there zoning guidelines/codes in writing to review for this zoning designation?

Yes, there will be specific zoning regulations in writing that will be adopted as part of this zoning petition if it is approved. These regulations will mirror the Missoula County Zoning Regulations for each of the proposed subdistricts (AGRR-5, AGRR-10, RRS-1, and ICL), with one exception: two detached dwellings, including duplexes, will be permitted on all existing tracts of record within the proposed RRS-1 subdistrict.

Are there existing uses that will be grandfathered in?

All current uses of property within the proposed FIZD will be allowed to continue and will be “grandfathered” into the proposed zoning district. Existing uses that do not conform to the proposed subdistrict’s regulations will be considered “legal non-conforming uses”. Missoula County Zoning Regulations address how legal non-conforming uses are treated. Specifically, Chapter 10 of the Zoning Regulations address Nonconformities. If you have a

question about how your property may be impacted as a result of a non-conformity, we recommend consulting the Zoning Regulations for more information and/or a land use professional to answer your individual questions.

What if our property does not conform with the minimum acreage proposed by Zoning?

Lots that already exist and do not conform with the proposed minimum acreage are considered “Non-conforming Lots”. See Section 10.3 of the Missoula County Zoning Regulations for more information about how your lot may be effected.

In general, this is legal and completely fine. Your lots does not need conform to the minimum acreage and will be considered a legal non-conforming lot. Your acreage is already grandfathered in, so you do not need to worry about your lots size if it does not meet the minimum acreage requirement. However, your lot size may restrict your ability to develop your lot in the future or to expand your existing non-conformity. Your lot size will not restrict your ability to convert an existing building to another permitted use, so long as the dimensions of the building remain the same.

Finally, any non-conforming lot is allowed to support a principal use (one dwelling) but may not be allowed to build additional dwellings other than an accessory dwelling unit. Additional dwellings would need to meet required density for the subdistrict based on the Zoning Regulations.

If you have questions about how your lot size by impact your ability to develop the lot in the future, we recommend consulting the Zoning Regulations and/or a land use professional for your individual questions.

What if the use of our property does not conform with the proposed zoning subdistrict?

Like non-conforming lot sizes, non-conforming use will be legally allowed to continue but may be restricted from future expansion. A legal non-conforming use means a use existing legally at the time of zoning but that is not listed as a permitted use or Special Exception in conformance with the regulations adopted. An illegal non-conforming use means a use that is established after the passage of the zoning that is not listed as a permitted use or Special Exception. Illegal uses violate the Zoning Regulations and are subject to enforcement procedures as defined in Chapter 12 of the Missoula County Zoning Regulations.

Legal non-conforming uses are not typically allowed to expand unless they are approved by a Special Exception. See Section 10.4(A) of the Missoula County Zoning Regulations for more information.

Chapter 10 addresses other circumstances where a non-conformity may arise. WE recommend consulting the Zoning Regulations and/or a land use professional for your individual questions.

When does a non-conforming use become grandfathered in?

Legal non-conforming uses that may be allowed to continue become “legal” when they have legally vested. In Montana, legal non-conforming uses are considered “vested” when the legal non-conforming use has begun or when the permits required to do so have been applied for or acquired. The question of whether a non-conforming use has been grandfathered is often a fact-based question and may depend on a variety of circumstances. However, the bottom line is that where the use has not officially begun and permits for the use have not been applied for, the use itself has not vested and would not be considered a legal non-conforming use at the time the zoning was adopted.

For example, gravel mining requires special permitting from the State, in addition to on-site infrastructure to begin the proposed use for mining. Where a gravel mine has not yet applied for their mining permit or otherwise started the mining activity on the subject property, they would not be considered a legal non-conforming use if zoning were adopted beforehand.

What if I have other questions that weren't answered here?

We're here to help! If you have other questions that have not been answered in this FAQ or the corresponding material provided, we recommend the following resources for more information:

- Reach out to our organization directly. You can reach us by email at info@keepingfrenchtown.org. If we can't answer your question, we'll point you in the direction of someone who can.
- Jennie Dixon at the Missoula County Planning Department. Jennie is a county planner and can help answer questions about the Missoula County Zoning Regulations. You can reach Jennie at jdixon@missoulacounty.gov or by phone at (406) 258-4946.
- The Missoula County website also has resources, including the full Zoning Regulations, revised in early 2026. You can find these resources here: <https://www.missoulacounty.gov/departments/planning-development-and-sustainability/development-review/zoning-regulations/>

THE INFORMATION PROVIDED IN THIS FAQ IS FOR GENERAL INFORMATIONAL PURPOSES ONLY AND DOES NOT CONSTITUTE LEGAL ADVICE. IF YOU HAVE SPECIFIC QUESTIONS, WE RECOMMEND THAT YOU SEEK INDEPENDENT LEGAL ADVICE.