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Neighbors for Preservation of Big and Little Creek Community v. Board of County Com'rs of Payette County

Supreme Court of Idaho - September 25, 2015 - P.3d - 2015 WL 5655521

Neighboring landowner sought judicial review of decision of the county board of commissioners approving conditional rezone of parcel of land from agricultural to industrial in connection with project to build nuclear power plant. The District Court, Third Judicial District affirmed. Neighboring landowner appealed.

The Supreme Court of Idaho held that:

- Supreme Court had authority to review amended comprehensive plan;
- Amended comprehensive plan complied with general plans requirement of Local Land Use Planning Act (LLUPA);
- Conditional rezone did not constitute illegal spot zoning; and
- Landowner's procedural due process rights were not violated.

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