

Bond Case Briefs

Municipal Finance Law Since 1971

ZONING & PLANNING - IDAHO

Renaissance Project Development, LLC v. Twin Falls County

Supreme Court of Idaho, Boise, December 2023 Term - March 5, 2024 - P.3d - 2024 WL 925897

Developer filed petition for judicial review of county board of commissioners' affirmance of zoning and planning commission's denial of a preliminary plat application for phases two through five of subdivision.

The Fifth Judicial District Court affirmed and dismissed the petition, and developer appealed.

The Supreme Court held that:

- County's reasoned statement provided a sufficient basis for understanding the criteria applied and the rationale for affirming the denial of subdivision plat application due to health and safety concerns;
- Commission failed to make adequate findings of fact to support conclusion that traffic on road and at intersection was a sufficient reason to deny subdivision plat application;
- Denial of subdivision plat due to health and safety concerns posed by the lack of a second egress was supported by sufficient facts;
- Commission's written decision denying application for subdivision plat was required by city ordinance to address the project's compliance with the comprehensive plan;
- Commission's failure to address whether application for subdivision plat was compliant with the comprehensive plan did not prejudice developer's substantial rights;
- Court would decline to consider whether it was fundamentally unfair under the terms of land trade agreement between city and developer for city to retain traded land following the denial; and
- Commission's written decision denying subdivision plat application on health and safety grounds due to single egress, and county's decision affirming that decision, were not arbitrary, capricious, or influenced by bias.